



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, सोमवार, 14 जून, 2010/24 ज्येष्ठ, 1932

हिमाचल प्रदेश सरकार

पंचायती राज विभाग

अधिसूचना

शिमला-9, तारीख 8 जून, 2010

संख्या—पीसीएच—एचबी (2) 9/99.—हिमाचल प्रदेश की राज्यपाल, भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, इस विभाग की समसंख्यक अधिसूचना तारीख 16-4-2007 द्वारा अधिसूचित, हिमाचल प्रदेश पंचायती राज विभाग, लिपिक वर्ग—III (अराजपत्रित) के पद के भर्ती और प्रोन्नति नियम, 2007 का और संशोधन करने के लिए निम्नलिखित नियम बनाती हैं, अर्थात् :-

1. संक्षिप्त नाम और प्रारम्भ.—(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश, पंचायती राज विभाग लिपिक, वर्ग—III (अराजपत्रित) भर्ती और प्रोन्नति (द्वितीय संशोधन) नियम, 2010 है।

(2) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे।

उपाबन्ध 'क' का संशोधन.— हिमाचल प्रदेश पंचायती राज विभाग, लिपिक, वर्ग—III (अराजपत्रित) भर्ती और प्रोन्नति नियम, 2007 के उपाबन्ध 'क' में,

(क) स्तम्भ संख्या: 7 (क) के सामने विद्यमान उपबन्ध के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:—

“(i) किसी मान्यता प्राप्त स्कूल शिक्षा बोर्ड/विश्वविद्यालय से दस जमा दो की परीक्षा उत्तीर्ण की हो या इसके समतुल्य।

(ii) अंग्रेजी टंकण में कम से कम तीस शब्द प्रति मिनट या हिन्दी टंकण में पच्चीस शब्द प्रति मिनट की गति रखता हो।

(iii) भर्ती प्राधिकारी द्वारा यथाविहित कम्प्यूटर में शब्द प्रसंस्करण का ज्ञान होना चाहिए।”

(ख) स्तम्भ संख्या: 8 के सामने विद्यमान उपबन्ध के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:—

(i) आयु : लागू नहीं।

(ii) **शैक्षिक अर्हता :** जैसी स्तम्भ संख्या: 7 (क) (i) एवं (iii) में विहित है।

(ग) स्तम्भ संख्या: 10 के सामने विद्यमान उपबन्ध के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:—

(i) यथास्थिति सत्तर प्रतिशत सीधी भर्ती द्वारा नियमित आधार पर या संविदा के आधार पर भर्ती द्वारा। संविदा पर नियुक्त कर्मचारी स्तम्भ संख्या: 15—क में दी गई उपलब्धियां प्राप्त करेंगे और उपरोक्त स्तम्भ में विनिर्दिष्ट सेवा शर्तों द्वारा विनियमित होंगे।

(ii) बीस प्रतिशत वर्ग—IV कर्मचारियों में से सीमित सीधी भर्ती द्वारा, जो दस जमा दो की अर्हता रखते हो, हिमाचल प्रदेश अधीनस्थ सेवाएं चयन बोर्ड, हमीरपुर द्वारा संचालित की जाने वाली प्रतियोगिता परीक्षा के माध्यम से, ऐसा न होने पर, यथास्थिति, सीधी भर्ती द्वारा नियमित आधार पर या संविदा के आधार पर भर्ती द्वारा। संविदा पर नियुक्त कर्मचारी स्तम्भ संख्या: 15—क में दी गई उपलब्धियां प्राप्त करेंगे और उपरोक्त स्तम्भ में विनिर्दिष्ट सेवा शर्तों द्वारा विनियमित होंगे।

(iii) दस प्रतिशत प्रोन्नति द्वारा, ऐसा न होने पर, यथास्थिति, सीधी भर्ती द्वारा नियमित आधार पर या संविदा के आधार पर भर्ती द्वारा। संविदा पर नियुक्त कर्मचारी स्तम्भ संख्या: 15—क में दी गई उपलब्धियां प्राप्त करेंगे और उपरोक्त स्तम्भ में विनिर्दिष्ट सेवा शर्तों द्वारा विनियमित होंगे।”

(घ) स्तम्भ संख्या: 11 के सामने विद्यमान उपबन्ध के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:—

(i) वर्ग—IV के दस जमा दो की अर्हता रखने वाले कर्मचारियों में से बीस प्रतिशत सीमित सीधी भर्ती द्वारा। हिमाचल प्रदेश अधीनस्थ सेवाएं चयन बोर्ड, हमीरपुर द्वारा संचालित की जाने वाले प्रतियोगिता परीक्षा के माध्यम से पात्र वर्ग—IV कर्मचारियों को हिमाचल प्रदेश अधीनस्थ सेवाएं चयन बोर्ड, हमीरपुर द्वारा संचालित की जाने वाली अंग्रेजी टंकण में तीस शब्द प्रति मिनट या हिन्दी टंकण में पच्चीस शब्द प्रति मिनट कम से कम की गति के साथ टंकण परीक्षा भी उत्तीर्ण करनी होगी, जैसा सीधी भर्ती के मामलों में लागू है।

- (ii) दस प्रतिशत वर्ग-IV कर्मचारियों में से, प्रोन्नति द्वारा, जिन्होंने किसी मान्यता प्राप्त स्कूल शिक्षा बोर्ड/विश्वविद्यालय से दस जमा दो या इसके समकक्ष परीक्षा उत्तीर्ण की हो और जिनका पांच वर्ष का नियमित सेवाकाल या ग्रेड में की गई लगातार तदर्थ सेवा, यदि कोई हो, को सम्मिलित करके पांच वर्ष का संयुक्त नियमित सेवाकाल हो;

परन्तु यदि वर्ग-IV का कोई कर्मचारी मैट्रिक या हिन्दी रतन (मैट्रिक के अंग्रेजी विषय सहित) की अर्हता के साथ लिपिक के पद पर प्रोन्नति के लिए अन्यथा पात्र हो जाता है, तो उसे प्रोन्नत कर दिया जाएगा, परन्तु उसे तीन वर्ष के भीतर दस जमा दो स्तर की अर्हता प्राप्त करनी होगी। यदि अभ्यर्थी 31-12-2011 तक दस जमा दो की अर्हता प्राप्त करने में असफल रहता है, तो उसे लिपिक से वर्ग-IV के पद पर प्रत्यावृत्त (पदावनत) कर दिया जाएगा:

परन्तु यह और कि समस्त वर्ग-IV कर्मचारियों में से इस प्रकार प्रोन्नत लिपिकों को परिवीक्षा अवधि के भीतर अंग्रेजी टंकण में कम से कम तीस शब्द प्रति मिनट या हिन्दी टंकण में पच्चीस शब्द प्रति मिनट की गति के साथ टंकण परीक्षा उत्तीर्ण करनी होगी, जिसका संचालन सम्बद्ध विभागों द्वारा किया जाएगा और पदधारियों को परिवीक्षा अवधि के दौरान तीन अवसर दिए जाएंगे। यदि अभ्यर्थी विहित अवधि के भीतर परीक्षा उत्तीर्ण करने में असफल रहते हैं तो उनकी परिवीक्षा अवधि को बढ़ाया जा सकेगा। इस अवधि के दौरान पदधारियों को एक और अवसर दिया जाएगा। यदि फिर भी बढ़ाई गई अवधि में अभ्यर्थी टंकण परीक्षा उत्तीर्ण करने में असफल रहते हैं तो वे लिपिक से वर्ग-IV पद पर प्रत्यावृत्त (पदावनत) कर दिए जाएंगे।

प्रोन्नति के प्रयोजन के लिए पात्र वर्ग-IV कर्मचारियों की, उनके सेवाकाल के आधार पर उनकी संवर्गवार पारस्परिक वरिष्ठता को छोड़े बिना एक संयुक्त वरिष्ठता सूची तैयार की जाएगी।

- (1) प्रोन्नति के सभी मामलों में पद पर नियमित नियुक्ति से पूर्व सम्भरक (पोशक) पद में की गई लगातार तदर्थ सेवा, यदि कोई हो, प्रोन्नति के लिए इन नियमों में यथाविहित सेवाकाल के लिए, इस शर्त के अधीन रहते हुए गणना में ली जाएगी कि सम्भरक प्रवर्ग में तदर्थ नियुक्ति, प्रोन्नति भर्ती और प्रोन्नति नियमों के उपबन्धों के अनुसार चयन की उचित स्वीकार्य प्रक्रिया को अपनाने के पश्चात् की गई थी :

परन्तु उन सभी मामलों में, जिनमें कोई कनिष्ठ व्यक्ति सम्भरक पद में अपने कुल सेवाकाल (तदर्थ आधार पर की गई तदर्थ सेवा सहित, जो नियमित सेवा/नियुक्ति के अनुसरण में हो) के आधार पर उपर्युक्त निर्दिष्ट उपबन्धों के कारण विचार किए जाने का पात्र हो जाता है, वहां अपने-अपने प्रवर्ग/पद/काडर में उससे वरिष्ठ सभी व्यक्ति विचार किए जाने के पात्र समझे जाएंगे और विचार करते समय कनिष्ठ व्यक्ति से ऊपर रखे जाएंगे :

परन्तु यह और कि उन सभी पदधारियों की, जिन पर प्रोन्नति के लिए विचार किया जाना है, कम से कम तीन वर्ष की न्यूनतम अर्हता सेवा या पद के भर्ती और प्रोन्नति नियमों में विहित सेवा, जो भी कम हो, होगी :

परन्तु यह और भी कि जहां कोई व्यक्ति पूर्वगामी परन्तुक की अपेक्षाओं के कारण प्रोन्नति किए जाने सम्बन्धी विचार के लिए अपात्र हो जाता है, वहां उससे कनिष्ठ व्यक्ति भी ऐसी प्रोन्नति के विचार के लिए अपात्र समझा जाएगा/समझे जाएंगे।

स्पष्टीकरण.—अंतिम परन्तुक के अन्तर्गत कनिष्ठ पदधारी प्रोन्नति के लिए अपात्र नहीं समझा जाएगा यदि वरिष्ठ अपात्र व्यक्ति भूतपूर्व सैनिक है जिसे डिमोबिलाइज्ड आमर्ड फोर्सिज परसोनल (रिजर्वेशन ऑफ वैकेन्सीज इन हिमाचल स्टेट नॉन टैक्नीकल सर्विसीज) रूलज, 1972 के नियम-3 के उपबन्धों के अन्तर्गत भर्ती किया गया है और इनके अन्तर्गत वरीयता लाभ दिए गए हों या जिसे एक्स सर्विसमैन (रिजर्वेशन ऑफ वैकेन्सीज इन हिमाचल प्रदेश टैक्नीकल सर्विसीज) रूलज, 1985 के नियम-3 के उपबन्धों के अन्तर्गत भर्ती किया गया हो तथा इनके अन्तर्गत वरीयता लाभ दिए गए हों।

- (2) इसी प्रकार स्थाईकरण के सभी मामलों में ऐसे पद पर नियमित नियुक्ति से पूर्व सम्भरक पद पर की गई लगातार तदर्थ सेवा, यदि कोई हो, सेवाकाल के लिए गणना में ली जाएगी, यदि तदर्थ नियुक्ति/प्रोन्नति उचित चयन के पश्चात् और भर्ती और प्रोन्नति नियमों के उपबन्धों के अनुसार की गई थी :

परन्तु की गई उपर्युक्त निर्दिष्ट तदर्थ सेवा को गणना में लेने के पश्चात् जो स्थाईकरण होगा, उसके फलस्वरूप पारस्परिक वरीयता अपरिवर्तित रहेगी।”

- (ड) स्तम्भ संख्या: 15—क के सामने विद्यमान उपबन्ध के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:—

“इन नियमों में किसी बात के होते हुए भी पद पर संविदा नियुक्तियों, नीचे दिए गए निबन्धनों और शर्तों के अधीन की जाएगी :—

(I) संकल्पना.—(क) इस पॉलिसी के अधीन हिमाचल प्रदेश पंचायती राज विभाग में लिपिक को, संविदा के आधार पर प्रारम्भ में एक वर्ष के लिए लगाया जाएगा जिसे वर्षानुवर्ष आधार पर बढ़ाया जा सकेगा।

(ख) **पद का हिमाचल प्रदेश अधीनस्थ सेवाएं चयन बोर्ड के कार्यक्षेत्र में आना.**—निदेशक, पंचायती राज रिक्त पदों को संविदा के आधार पर भरने के लिए सरकार का अनुमोदन प्राप्त करने के पश्चात्, अध्यक्ष को सम्बद्ध भर्ती अभिकरण अर्थात् हिमाचल प्रदेश अधीनस्थ सेवाएं चयन बोर्ड, हमीरपुर के समक्ष रखेगा।

- (ग) चयन, इन नियमों में विहित पात्रता शर्तों के अनुसार किया जाएगा।

(II) संविदात्मक उपलब्धियां.—संविदा के आधार पर नियुक्त लिपिक को 7810/— रुपये की नियत समेकित संविदात्मक रकम (जो वेतन बैंड जमा ग्रेड वेतन के न्यूनतम के बराबर होगी) प्रतिमास संदत्त की जाएगी। यदि संविदा में एक वर्ष से अधिक की बढ़ौत्तरी की जाती है, तो पश्चात्वर्ती वर्ष/वर्षों के लिए संविदात्मक उपलब्धियों में रुपये की रकम (पद के वेतन बैंड जमा ग्रेड वेतन के न्यूनतम तीन प्रतिशत) वार्षिक वृद्धि के रूप में अनुज्ञात की जाएगी।

(III) नियुक्ति/अनुशासन प्राधिकारी.—निदेशक, पंचायती राज, हिमाचल प्रदेश नियुक्ति और अनुशासन प्राधिकारी होगा।

(IV) चयन प्रक्रिया.—संविदा नियुक्ति की दशा में पद पर नियुक्ति के लिए चयन, मौखिक परीक्षा के आधार पर किया जाएगा या यदि आवश्यक या समीचीन समझा जाए तो लिखित परीक्षा या व्यावहारिक परीक्षा द्वारा किया जाएगा, जिसका स्तर/पाठ्यक्रम आदि संबद्ध भर्ती अभिकरण अर्थात् हिमाचल प्रदेश अधीनस्थ सेवाएं चयन बोर्ड, हमीरपुर द्वारा अवधारित किया जाएगा।

(v) **संविदात्मक नियुक्तियों के लिये चयन समिति.**—जैसी सम्बद्ध भर्ती अभिकरण अर्थात् हिमाचल प्रदेश अधीनस्थ सेवाएं चयन बोर्ड द्वारा समय-समय पर गठित की जाए।

(VI) **करार.**—अभ्यर्थी को, चयन के पश्चात् इन नियमों से संलग्न उपाबन्ध-ख के अनुसार करार हस्ताक्षरित करना होगा।

(VII) **निबन्धन और शर्तें.**—(क) संविदा के आधार पर नियुक्त व्यक्ति को 7810/—रुपये की नियत संविदात्मक रकम (जो वेतन बैंड जमा ग्रेड वेतन के न्यूनतम के बराबर होगी) प्रतिमास संदत्त की जाएगी। संविदा पर नियुक्त व्यक्ति आगे बढ़ाएं गए वर्ष /वर्षों के लिए संविदात्मक रकम में रुपये (पद के वेतन बैंड जमा ग्रेड वेतन के न्यूनतम तीन प्रतिशत) की वृद्धि का हकदार होगा और अन्य कोई प्रसुविधाएं, जैसे वरिष्ठ/चयन वेतनमान आदि नहीं दिया जाएगा।

(ख) संविदा पर नियुक्त व्यक्ति की सेवा पूर्णतया अस्थायी आधार पर होगी। यदि संविदा पर नियुक्त व्यक्ति का कार्य/आचरण ठीक नहीं पाया जाता है तो नियुक्ति समाप्त किए जाने के लिए दायी होगी।

(ग) संविदा पर नियुक्त व्यक्ति, एक मास की सेवा पूरी करने के पश्चात् एक दिन के आकस्मिक अवकाश का हकदार होगा। यह अवकाश एक वर्ष तक संचित किया जा सकेगा। संविदा पर नियुक्त व्यक्ति को किसी भी प्रकार का अन्य कोई अवकाश अनुज्ञात नहीं होगा। वह चिकित्सा प्रतिपूर्ति और एल0टी0सी0 इत्यादि के लिए भी हकदार नहीं होगा/होगी। केवल प्रसूति अवकाश, नियमानुसार दिया जाएगा।

(घ) नियन्त्रक अधिकारी के अनुमोदन के बिना सेवा से अनधिकृत अनुपस्थिति से स्वतः ही संविदा का पर्यवसान (समापन) हो जाएगा। संविदा पर नियुक्ति व्यक्ति, कर्तव्य (ड्यूटी) से अनुपस्थिति की अवधि के लिए संविदात्मक रकम का हकदार नहीं होगा।

(ङ) संविदा पर नियुक्त व्यक्ति, तैनाती के एक स्थान पर पांच वर्ष का कार्यकाल पूर्ण कर लिया है, आवश्यकता के आधार पर जहां भी प्रशासनिक आधार पर ऐसा करना अपेक्षित हो, स्थानान्तरण हेतु पात्र होगा।

(च) चयनित अभ्यर्थी को सरकारी/रजिस्ट्रीकृत चिकित्सा व्यवसायी से अपना आरोग्य प्रमाण पत्र प्रस्तुत करना होगा। बारह सप्ताह से अधिक की गर्भवती महिला प्रसव होने तक, अस्थायी तौर पर अनुपयुक्त बनी रहेगी। महिला अभ्यर्थियों का किसी प्राधिकृत चिकित्सा अधिकारी/व्यवसायी द्वारा उपयुक्तता के लिये पुनः परीक्षण किया जाएगा।

(छ) संविदा पर नियुक्त व्यक्ति का यदि अपने पदीय कर्तव्यों के सम्बन्ध में दौरे पर जाना अपेक्षित हो, तो वह उसी दर पर, जैसी नियमित कर्मचारियों को वेतनमान के न्यूनतम पर लागू है, यात्रा भत्ते/दैनिक भत्ते का हकदार होगा।

(ज) नियमित कर्मचारियों की दशा में यथा लागू सेवा नियमों के उपबन्ध, जैसे कि एफ.आर.—एस.आर, छुट्टी नियम, साधारण भविष्य निधि नियम, पेंशन नियम तथा आचरण नियम आदि संविदा पर नियुक्त व्यक्तियों की दशा में लागू नहीं होंगे। वे इस स्तम्भ में यथावर्णित उपलब्धियों आदि के लिए हकदार होंगे।

आदेश द्वारा,
हस्ताक्षरित/—
सचिव।

.....(पद का नाम) और हिमाचल प्रदेश सरकार के मध्य निदेशक पंचायती राज(नियुक्ति प्राधिकारी का पदनाम) के माध्यम से निष्पादित की जाने वाली संविदा/ करार का प्ररूप।

यह करार श्री / श्रीमतिपुत्र / पुत्री श्रीनिवासी संविदा पर नियुक्त व्यक्ति (जिसे इसमें इसके पश्चात “प्रथम पक्षकार” कहा गया है) और हिमाचल प्रदेश की राज्यपाल के मध्य, (नियुक्ति प्राधिकारी का पदनाम) (जिसे इसमें इसके पश्चात “द्वितीय पक्षकार” कहा गया है) के माध्यम से आज तारीख..... को किया गया।

द्वितीय पक्षकार ने उपरोक्त प्रथम पक्षकार को लगया है, और प्रथम पक्षकार ने ...(पद का नाम) के रूप में संविदा के आधार पर निम्नलिखित निबन्धन और शर्तों पर सेवा करने के लिए सहमति दी है :—

1. यह कि प्रथम पक्षकार (पद का नाम) के रूप में से प्रारम्भ होने और..... को समाप्त होने वाले दिन तक, एक वर्ष की अवधि के लिए द्वितीय पक्षकार की सेवा में रहेगा। यह विनिर्दिष्ट रूप से उल्लिखित किया गया है और दोनों पक्षकारों द्वारा करार पाया गया है कि प्रथम पक्षकार की द्वितीय पक्षकार के साथ संविदा, आखिरी कार्य दिवस को अर्थात्.... दिन को स्वयंमेव ही पर्यवसित (समाप्त) हो जाएगी और सूचना नोटिस आवश्यक नहीं होगा।

2. प्रथम पक्षकार की संविदात्मक रकम 7810/— रुपये प्रतिमास होगी।

3. प्रथम पक्षकार की सेवा पूर्णतया अस्थाई आधार पर होगी। यदि संविदा पर नियुक्त व्यक्ति का कार्य /आचरण ठीक नहीं पाया जाता है या यदि नियमित पदधारी उस रिक्ति के विरुद्ध नियुक्त/तैनात कर दिया जाता है, जिसके लिए प्रथम पक्षकार को संविदा पर लगाया गया है तो नियुक्ति पर्यवसित (समाप्त) की जाने के लिए दायी होगी।

4. संविदा पर नियुक्त व्यक्ति, एक मास की सेवा पूरी करने के पश्चात एक दिन के आकस्मिक अवकाश का हकदार होगा। यह अवकाश एक वर्ष तक संचित किया जा सकेगा। संविदा पर नियुक्त व्यक्ति को किसी भी प्रकार का अन्य कोई अवकाश अनुज्ञात नहीं होगा। वह चिकित्सा प्रतिपूर्ति और एल0टी0सी0 इत्यादि के लिए भी हकदार नहीं होगा/होगी। केवल प्रसूति अवकाश, नियमानुसार दिया जाएगा।

5. नियंत्रक अधिकारी के अनुमोदन के बिना कर्तव्यों से अनधिकृत अनुपस्थिति से स्वतः ही संविदा का पर्यावसान (समापन) हो जाएगा। संविदा पर नियुक्त व्यक्ति कर्तव्य (डियूटी) से अनुपस्थिति की अवधि के लिए संविदात्मक रकम का हकदार नहीं होगा।

6. संविदा पर नियुक्त व्यक्ति जिसने तैनाती के एक स्थान पर पांच वर्ष का कार्यकाल पूर्ण कर लिया है, आवश्यकता के आधार पर स्थानान्तरण हेतु पात्र होगा, जहां भी प्रशासनिक आधार पर ऐसा करना अपेक्षित हो।

7. चयनित अभ्यर्थी को सरकारी/रजिस्ट्रीकृत चिकित्सा व्यवसायी से अपना आरोग्य प्रमाण—पत्र प्रस्तुत करना होगा। महिला अभ्यर्थियों की दशा में, बारह सप्ताह से अधिक की गर्भावस्था प्रसव होने तक, उसे अस्थाई तौर पर अनुपयुक्त बना देगी। महिला अभ्यर्थियों का किसी प्राधिकृत चिकित्सा अधिकारी/व्यवसायी द्वारा उपयुक्तता के लिए पुनः परीक्षण किया जाना चाहिए।

8. संविदा पर नियुक्त व्यक्ति का यदि अपने पदीय कर्तव्यों के सम्बन्ध में दौरे पर जाना अपेक्षित हो, तो वह उसी दर पर जैसी नियमित प्रतिस्थानी कर्मचारी को वेतनमान के न्यूनतम पर लागू है, यात्रा भत्ते/ दैनिक भत्ते का हकदार होगा/ होगी।

9. संविदा पर नियुक्त व्यक्ति(यों) को कर्मचारी सामूहिक बीमा (जी0आई0एस0) योजना के साथ-साथ इ.पी.एफ./जी.पी0एफ. भी लागू नहीं होगा।

इसके साक्ष्यस्वरूप प्रथम पक्षकार व द्वितीय पक्षकार ने साक्षियों की उपस्थिति में इसमें सर्वप्रथम उल्लिखित दिन, मास और वर्ष अपने-अपने हस्ताक्षर कर दिए हैं।

साक्षियों की उपस्थिति में

1.....

.....

.....

(नाम व पूरा पता)

2.....

.....

.....

(नाम व पूरा पता)

(प्रथम पक्षकार के हस्ताक्षर)

साक्षियों की उपस्थिति में

1.....

.....

.....

(नाम व पूरा पता)

2.....

.....

.....

(नाम व पूरा पता)

(द्वितीय पक्षकार के हस्ताक्षर)

[Authoritative English text of this notification No. PCH-HB(2)9/99 dated 8 June, 2010 as required under clause (3) of Article 348 of the Constitution of India.]

PANCHAYATI RAJ DEPARTMENT

NOTIFICATION

Shimla-9, 8 June, 2010

No. PCH-HB(2)9/99.—In exercise of the powers conferred by proviso to Article 309 of the constitution of India, the Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission is pleased further to amend the Himachal Pradesh Panchayati Raj Department, Clerk(Class-III, Non-Gazetted) Recruitment and Promotion Rules, 2007, notified vide notification of even number dated 16.4.2007, namely :—

1. Short title and commencement.—(1) These rules may be called the Himachal Pradesh Panchayati Raj Department Clerk, (Class-III, Non-Gazetted) Recruitment and Promotion (2nd Amendment) Rules, 2010.

(2) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

Amendment of Annexure-A.—In Annexure-A to the Himachal Pradesh Panchayati Raj Department, Clerk(Class-III, Non-Gazetted) Recruitment and Promotion Rules, 2007,

(a) For the existing provision against column No. 7(a), the following shall be substituted, namely:-

“(i) Should have passed 10+2 examination or its equivalent from a recognized Board of School Education/ University.

(ii) Should possess a minimum speed of 30 words per minute in English typewriting or 25 words per minute in Hindi typewriting.

(iii) Should have the knowledge of Word Processing in Computer as prescribed by the Recruiting Authority.”

(b) For the existing provision against column No. 8, the following shall be substituted, namely:—

(i) **Age.**—N.A.

(ii) **Educational.**—As prescribed in column No. 7

Qualification : (a) (i) & (iii)

(c) For the existing provision against column No. 10, the following shall be substituted, namely:—

“(i) 70% by direct recruitment on a regular basis or by recruitment on contract basis, as the case may be. The Contract employees will get emoluments as given in Col. 15-A and will be governed by service conditions as specified in the said column.

- (ii) 20% by limited direct recruitment from amongst the regular Class-IV officials possessing the 10+2 qualification through competitive examination to be conducted by the H.P. Subordinate Services Selection Board, Hamirpur, failing which by direct recruitment on a regular basis or by recruitment on contract basis as the case may be. The contract employees will get emoluments as given in Co. 15-A and will be governed by service conditions as specified in the said column.
- (iii) 10% by promotion failing which by direct recruitment on a regular basis or by recruitment on contract basis as the case may be. The contract employees will get emoluments as given in Col. 15-A and will be governed by service conditions as specified in the said column.”
- (d) For the existing provision against column No. 11 the following shall be substituted, namely:—
- (i) 20% by limited direct recruitment from amongst the Class-IV officials possessing 10+2 qualification through competitive examination to be conducted by the H.P. Subordinate Services Selection Board, Hamirpur. The eligible Class-IV employees will also qualify the typing test with the minimum speed of 30 words per minute in English typewriting OR 25 words per minute in Hindi typewriting to be conducted by the H.P. Subordinate Services Selection Board, Hamirpur as is applicable in case of direct recruitment.
- (ii) 10% by promotion from amongst the Class-IV officials who have passed 10+2 examination or its equivalent from a recognized Board of School Education/ University and possess five years regular service or regular combined with continuous adhoc service rendered, if any, in the grade:

Provided that if a Class-IV official is otherwise eligible to be promoted to the post of Clerk with the qualification Matric or Hindi Rattan with Matric (English) then he will be so promoted but shall have to acquire the qualification of 10+2 standard within 03 years. If the candidate fails to acquire the 10+2 qualification by 31.12.2011, then he shall be reverted from Clerk to the Class-IV post.

Provided further that all the Class-IV officials so promoted as Clerks will qualify the typing test with a minimum speed of 30 words per minute in English Typewriting or 25 words per minute in Hindi Typewriting within the probation period which will be conducted by the concerned Departments and the incumbents will get three chances during the probation period. If the candidate fails to qualify the typing test within the prescribed period, their probation period will be extended. During this period the incumbents will get one more chance. If the candidate still fail to qualify the typing test in the extended period, they will be reverted from Clerk to Class-IV post.

For the purpose of promotion a combined seniority of eligible Class-IV officials on the basis of length of service without disturbing their cadrewise inter-se-seniority shall be prescribed.

- (1) In all cases of promotion, the continuous adhoc service rendered in the feeder post, if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition that the adhoc appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions of R & P Rules;

(i) Provided that in all cases where a junior person become eligible for consideration by virtue of his total length of service (including the service rendered on adhoc basis , followed by regular service/appointment) in the feeder post in view of the provisions referred to above, all persons senior to him in the respective category/post/cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration;

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least 3 years or that prescribed in the Recruitment and Promotion Rules for the post, whichever is less;

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

Explanation.—The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible person happened to be the Ex-servicemen recruited under the provisions of Rule-3 of Demobilized Armed Forces Personnel(Reservation of Vacancies in Himachal State Non-Technical Services) Rules ,1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule-3 of the Ex-Servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules,1985 and having been given the benefit of seniority thereunder.

(2) Similarly, in all cases of confirmation continuous adhoc service rendered on the feeder post if any, prior to the regular appointment against such post shall be taken into account towards the length of service, if the adhoc appointment/promotion had been made after proper selection and in accordance with the provisions of the Recruitment and Promotion rules;

Provided that inter-se-seniority as a result of confirmation after taking into account, adhoc service rendered as referred to above shall remain unchanged”.

(e) For the existing provision against column No. 15 (A), the following shall be substituted, namely:—

“Notwithstanding anything contained in these rules, contract appointments to the post will be made subject to the terms and conditions given below:-

(I) CONCEPT.— (a) Under this policy the Clerk in the Department of Panchayati Raj, H.P. will be engaged on contract basis initially for one year, which may be extendable on year to year basis.

(b) **POST FALLS WITHIN THE PURVIEW OF HP SSSB.**—The Director, Panchayati Raj after obtaining the approval of the Government to fill up the vacant posts on contract basis will place the requisition with the concerned recruiting agency i.e. HP Subordinate Services Selection Board, Hamirpur.

c) The selection will be made in accordance with the eligibility conditions prescribed in these Rules.

(II) CONTRACTUAL EMOLUMENTS.—The Clerk appointed on contract basis will be paid consolidated fixed contractual amount @ 7810 /- P.M.(which shall be equal to minimum of the pay band + grade pay) . An amount of Rs. ----- (3 % of the minimum of pay band + grade pay of the post) as annual increase in contractual emoluments for the subsequent years will be allowed if contract is extended beyond one year.

(III) APPOINTING / DISCIPLINARY AUTHORITY.—The Director, Panchayati Raj H.P. will be appointing and disciplinary authority.

(IV) SELECTION PROCESS.—Selection for appointment to the post in the case of Contract Appointment will be made on the basis of viva-voce test or if considered necessary or expedient by a written test or practical test. The standard / syllabus etc. of which will be determined by the concerned recruiting agency i.e. HP Subordinate Service Selection Board Hamirpur.

(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS.—As may be constituted by the concerned recruiting agency i.e. the HP Subordinate Service Selection Board from time to time.

(VI) AGREEMENT.—After selection of a candidate, he / she shall sign an agreement as per Annexure-B appended to these Rules.

(VII) TERMS AND CONDITIONS.—(a) The contract appointee will be paid fixed contractual amount @ Rs. 7810/- per month (which shall be equal to minimum of the pay band + grade pay). The Contract Appointee will be entitled for increase in contractual amount @ Rs. ----- -- (3 % of minimum of the pay band+ grade pay of the post) for further extended years and no other allied benefits such as senior / selection scales etc. shall be given.

(b) The service of the Contract Appointee will be purely on temporary basis. The appointment is liable to be terminated in case the performance/ conduct of the contract appointee is not found satisfactory.

(c) Contract Appointee will be entitled for one day casual leave after putting one month service. This leave can be accumulated up to one year. No leave of any other kind is admissible to the contract appointee. He / She shall not be entitled for Medical Re-reimbursement and LTC etc. Only maternity leave will be given as per Rules.

(d) Unauthorized absence from the duty without the approval of the controlling Officer shall automatically lead to the termination of the contract. Contract Appointee shall not be entitled for contractual amount for the period of absence from duty.

(e) An official appointed on contract basis who have completed five years tenure at one place of posting will be eligible for transfer on need based basis wherever required on administrative grounds.

(f) Selected candidate will have to submit a certificate of his /her fitness from a Government / Registered Medical Practitioner. Women candidate pregnant beyond 12 weeks will stand temporarily unfit till the confinement is over. The women candidate will be re-examined for the fitness from an authorized Medical Officer /Practitioner.

(g) Contract appointee will be entitled to TA/DA if required to go on tour in connection with his /her official duties at the same rate as applicable to regular officials at the minimum of the pay scale.

(h) Provisions of service rules like FR SR, Leave Rules, GPF Rules, Pension Rules & Conduct rules etc. as are applicable in case of regular employees will not be applicable in case of contract appointees. They will be entitled for emoluments etc. as detailed in this Column.

By order,
Sd/-
Secretary.

Form of contract /agreement to be executed between the----- (Name of the post) and the Government of Himachal Pradesh through Director Panchayati Raj (Designation of the Appointing Authority).

This agreement is made on this _____ day of _____ in the year _____
Between Sh./Smt. _____ s/o
/D/o Shri _____ R/O _____

_____ contract appointee(hereinafter called the FIRST PARTY), AND The Governor of Himachal Pradesh through (Designation of the Appointing Authority) Himachal Pradesh(here-in-after the SECOND PARTY). Whereas, the SECOND PARTY has engaged the aforesaid FIRST PARTY and the FIRST PARTY has agreed to serve as a----- (Name of the post) on contract basis on the following terms & conditions:

1. That the FIRST PARTY shall remain in the service of the SECOND PARTY as a ----- (Name of the post) for a period of 1 year commencing on day of _____ and ending on the day of _____. It is specifically mentioned and agreed upon by both the parties that the contract of the FIRST PARTY with SECOND PARTY shall ipso-facto stand terminated on the last working day i.e. on _____ and information, notice shall not be necessary.

2. The contractual amount of the FIRST PARTY will be Rs. per month.

3. The service of FIRST PARTY will be purely on temporary basis. The appointment is liable to be terminated in case the performance /conduct of the contract appointee is not found good or if a regular incumbent is appointed /posted against the vacancy for which the first party was engaged on contract.

4. Contractual appointee will be entitled for one day casual leave after putting in one month service. This leave can be accumulated up to one year. No leave of any kind is admissible to the contractual appointee. He/She will not be entitled for Medical Reimbursement and LTC etc. Only maternity leave will be given as per Rules.

5. Unauthorized absence from the duty without the approval of the controlling Officer shall automatically lead to the termination of the contract. A contractual appointee will not be entitled for contractual amount for the period of absence from duty.

6. An official appointed on contract basis who have completed five years tenure at one place of posting will be eligible for transfer on need based basis wherever required on administrative grounds.

7. Selected candidate will have to submit a certificate of his/her fitness from a Government /registered Medical Practitioner. In case of women candidates pregnancy beyond twelve weeks will render her temporarily unfit till the confinement is over. The women candidate should be re-examined for fitness from an authorized Medical Officer/ Practitioner.

8. Contract appointee shall be entitled to TA/DA if required to go on tour in connection with his official duties at the same rate as applicable to regular counter-part official at the minimum of the pay scale.

9. The Employees Group Insurance Scheme as well as EPF/GPF will not be applicable to contractual appointee(s).

IN WITNESS the FIRST PARTY AND SECOND PARTY have herein to set their hands the day , month and year first, above written.

IN THE PRESENCE OF WITNESS:

1. _____

(Name and Full Address)

(Signature of the FIRST PARTY)

2. _____

(Name and Full Address)

IN THE PRESENCE OF WITNESS:

1. _____

2. _____

(Name and Full Address)

(Signature of the SECOND PARTY)

TRANSPORT DEPARTMENT

NOTIFICATION

Shimla-71002, 10th June, 2010

No. TPT-B(15)-2/2001-Part-II.—The Governor of Himachal Pradesh is pleased to order to notify the Job Profiles alongwith performance indicators of the Officers/Officials working in the Transport Department which has been uploaded on the official website by the Department and is annexed at Annexure-“A”.

By order,
Sd/-
Principal Secretary.

**JOB PROFILE DUTIES AND RESPONSIBILITIES OF VARIOUS POSTS IN THE
DEPARTMENT OF TRANSPORT, HIMACHAL PRADESH**

CONTENTS

*Sr.
No.* *Name of Category*

1. Director Transport
2. Addl. Commissioner Transport –cum- Secretary State Transport Authority, HP
3. Joint Commissioner Transport-cum-Regional Transport Officer HQ, Shimla-4.
4. Regional Transport Officers
5. Regional Transport Officer, Flying Squad
6. Assistant Commissioner Transport (Tech.)
7. Supdt. Gr-I
8. Asstt. Controller (F&A)
9. Section Officer (SAS)
10. Asstt. Regional Transport Officers
11. Supdt. Gr-II
12. Senior Assistant
13. Motor Vehicle Inspector
14. Personal Assistant
15. Junior Auditor
16. Jr. Asstt./Clerk
17. Jr. Scale Steno
18. Steno Typist
19. Traffic Inspector
20. Programmer
21. Computer Operator
22. Drivers
23. Constables
24. Daftri
25. Peon
26. Chowkidar
27. Sweeper
28. Home Guard

**DUTIES AND RESPONSIBILITIES OF VARIOUS POSTS IN THE DEPARTMENT OF
TRANSPORT, HIMACHAL PRADESH**

1. Director Transport, Himachal Pradesh

- (i) Director Transport being administrative head of the Transport Department in the State is responsible for the efficient working of Transport Department, shall exercise all administrative and financial powers as adjoined upon the heads of the department in the Himachal Pradesh Government.
- (ii) He is also the Chairman of Regional Transport Authorities constituted by the Govt. of H. P.

- (iii) He shall submit to the Govt. budget and appropriation proposals in consolidated form for the department as a whole for consideration/approval.
- (iv) He shall ensure the implementation of Central Motor Vehicle Act/Rules, HP Motor Vehicle Rules. HP Motor Vehicle Taxation Act/Rules in letter and spirit.
- (v) He approves all kinds of models of vehicles to be allowed to be registered in the State.
- (vi) He shall submit proposals regarding policy matters pertaining to the department to the Additional Chief Secretary (Transport) for finalization.
- (vii) He shall ensure the achievements of financial targets set by the govt.
- (viii) He also recommends the cases to the Govt. for allotment of Registration series to all the RTOs/RLAs in the Pradesh.
- (ix) He has over all control over all the RTOs in the Pradesh and also exercise in direct control over R&Las for realization of taxes due the State under the Motor Vehicle Act/Rules and HP Motor Vehicle Taxation Act and as well as settlement of audit paras pertaining to them and issue directions thereof.
- (x) He is also Chairman-cum-Chief Executive Officer of E-Governance Society of Transport Department, HP.
- (xi) He shall exercise all the powers delegated to him by the State Govt. from time to time and is directly answerable to the Govt.

2. ADDITIONAL COMMISSIONER TRANSPORT-CUM-SECRETARY, STATE TRANSPORT AUTHORITY, HIMACHAL PRADESH.

- (i) The Additional Commissioner Transport-cum- Secretary, STA, HP shall assist the Director Transport in the performance of his duties and responsibilities and all proposal shall have to be initiated through him to the Head of Department.
- (ii) He has been delegated with the powers of Head of Offices in Directorate & he will be responsible for administrative matters of the Department.
- (iii) He also acts as controlling officers of RTOs in Transport Department and issued necessary directions/clarifications to them.
- (iv) He shall be required to inspect the working of all the RTO offices and after inspecting, the field offices will record inspection notes.
- (v) He will also exercise financial power attached to his post in the capacity of being controlling officer.
- (vi) He will act as Nodal Officer in respect of Transport Department for issues related to the preparation of Long Term Master Plan for HP.
- (vii) He will act as Ex-officio-Vigilance Officer in respect of Transport Department.
- (viii) He shall have to finalize the reciprocal agreements on behalf of HP Govt. with the adjoining states.

(ix) Public Information Officer under RTI Act, 2005 in Directorate of Transport, HP.

(x) Being a Secretary, STA, he is also looking after the following jobs :-

- Registering authority for commercial vehicles such as Taxi/Maxi/ Contract carriage buses and also for non-transport vehicles under the HP 62 & HP 62 A series.
- Grant of Taxi/Maxi Permits
- Grant of National Permits of Trucks.
- Grant of All India Permits for Contract Carriage Buses/within state permits.
- Compounding challaning powers to streamline the traffic.
- Appellate Authority under section 15(1) of Himachal Pradesh Motor Vehicle Taxation Act, 1972.
- To co-ordinate and Regulate the activities and policies of RTA.
- To settle all disputes and decide all the matters on which differences of opinion arise between RTAs.
- Licensing Authority including International Driving License.
- Member Secretary of E-Governance Society of Transport Department.

(xi) Any other job assigned by the Head of Department.

3. JOINT COMMISSIONER TRANSPORT-CUM- REGIONAL TRANSPORT OFFICER(FLYING SQUAD) HEADQUARTER, SHIMLA.

- (i) Clarification/directions regarding Stage Carriage Permits/Time tables/Inter state agreements with Regional Transport Offices in the State through Additional Commissioner Transport.
- (ii) To check the illegal plying of vehicles in all over the State and vested with Compounding/ Challaning powers to streamline the traffic in accordance with provisions of Motor Vehicle Act/Rules, HP Motor Vehicle Rules, HP Motor Vehicle Taxation Act/ Rules and also realize the taxes on the spot, due towards State of HP.
- (iii) Power to renew/NOC of driving licenses issued earlier.
- (iv) Any other job assigned by the Head of Department.

4. REGIONAL TRANSPORT OFFICERS (SHIMLA/SOLAN/ SIRMOUR/ UNA/ BILASPUR/ HAMIRPUR/DHARAMSHALA/ MANDI/ KULLU & CHAMBA)

- (i) He is the Head of office and assigned the powers of DDOs being a Controlling officer.
- (ii) To check the illegal plying of vehicles in his jurisdiction and Compounding/ Challaning powers to streamline the traffic as RTO.
- (iii) Powers to issue (basic & National permits for goods vehicles, three wheeler/Stage Carriage/Taxi/Maxis as sanctioned by the STA/RTA.
- (iv) Power to registration of vehicles (Taxi/Maxi/Personalized & Commercial vehicles).
- (v) Power to issue temporary permit for carrying out repair of vehicle.

- (vi) Power to issue special permit under section 88(8) of Motor Vehicle Act, 1988.
- (vii) Power to convene the meeting of Stage Carriage/HRTC for joint time table and issuance of time tables.
- (viii) To act as Public Information Officer.
- (ix) Licensing authority in respect of Driving/Conductor licenses.
- (x) He is the Secretary of Regional Transport Authority of the region concerned for preparation of agenda for the meeting of RTA.
- (xi) Any other job assigned by the Head of Department.

5. REGIONAL TRANSPORT OFFICER (FLYING SQUAD), DHARAMSHALA & KULLU

- (i) He is the Head of office and assigned the powers of DDOs being a Controlling officer.
- (ii) To check the illegal plying of vehicles in his jurisdiction and Compounding challaning powers to streamline the traffic as RTO Flying Squad.
- (iii) Any other job assigned by the Head of Department.

6. ASSISTANT COMMISSIONER TRANSPORT (TECHNICAL), HQ, SHIMLA.

- (i) He is the head of Technical Section in Headquarter.
- (ii) He submits proposal for approval of models of different kind of vehicles to the Director Transport, HP through Additional Commissioner Transport, HP.
- (iii) The work relating to Road Safety programme, Pollution Check Centers and Opening/inspection of Driving Training School have been done under his supervision.
- (iv) Clarification to all the Motor Vehicle Inspectors in Technical matters.
- (v) To check the illegal plying of vehicles in all over the State and Compounding challaning powers to streamline the traffic as Asstt. Commissioner Transport (Tech.).
- (vi) To maintain data regarding vehicle inspection/driving test taken by the Motor Vehicle Inspector in the Pradesh.
- (vii) Any other job assigned by the Head of Department.

7. SUPERINTENDENT GRADE-I

- (i) He is working under the control of Head of Department/Head of office in HQ and power to grant short leave, casual leave to the subordinate staff posted in the section not exceeding a spell of four days at a time and to grant station leave.
- (ii) To monitor receipts of letters and interim replies.
- (iii) To issue ordinary reminders.

- (iv) To supervise/give suggestions on important issues of the department.
- (v) To send replies to routine queries in respect of decisions already taken, supply factual information and call for preliminary information in incomplete cases before submitting of cases to the officers.
- (vi) Guide and advise all the dealing hands for immediate disposal of cases pending for over one week.
- (vii) To check the illegal plying of vehicles in all over the State and Compounding challaning powers to streamline the traffic and realization of taxes on spot.
- (viii) He will be all over In-charge of the Establishment and other branches given under his control.
- (ix) Any other job assigned by the Head of Department.

8. ASSISTANT CONTROLLER (F&A), HQ, Shimla.

(i) Financial Advisor to the HOD

(ii) Branch officer of the following branch:-

- **Budget Branch:-**

-
- Receipts estimates(includes STA,RTOs,Barriers &R&LS)
- Expenditure estimates of Plan & Non-Plan (includes Directorate,
- STA,RTOs,Barriers,
- HRTC, Retirees , ex-gratia to accident victims, Tribal Area Sub-
- Plan, Schedule Caste Component Plan)
- Daily monitoring of increase/decrease in receipts figures of barriers.
- Allotment of budget in accordance wit FD guidelines.
- Decretal matters and inclusion thereof in SDG.
- Budget estimates for HGT employees.
- Additionality, Final Excess and Surrender Statement.
- Appropriation.
- Reconciliation with AGHP(A&E) for figures of the Directorate,
- RTOs/R&LAs.
-

(iii) **DDO**

- DDO powers of Directorate, STAs & RTO,(FS) & Shimla.
-

(iv) **Accounts Branch:-**

- Preparation of all kinds of bills, maintenance of subsidiary books,
- Presentation thereof in the treasury under provision of HPFR.
- TA/DA matters of non-official members
- Reconciliation of figures with treasury & AG pertaining to branch
- Refunds under Taxation Act of All RTOs&R&LAs
- Loans and Advances to Govt. servant.

- Grant of subsidy, loan etc. to HRTC
- Tentative Tour Programme of RTOs and Countersignatures of their bills.
- Cases of Medical claims transfer of retiree to another establishment.

(v) Cash Section-

Cash Counter for general public

- Daily cash receipts at cash counter established for receipts of STA/RTO(FS)&Shimla (computerized cash book)under Motor vehicle Act.- Cashier -I
- Cash at chest: - Cashier-II
- Daily cash transaction, receipt and disbursement of establishments of the Directorate/STA/RTOs,Shimla&FS/retirees of Departmental and HRTC for MR and gratuity payments
- Deposit of cash into treasury/bank received from cashier-I.
- Deposit of bank drafts of SRT, Pollution check Centers, Driving Schools,
- National Permit, securities etc. through cashier-II,
- Accountal of PF deductions to employer for their employees on
- Secondment with Transport Department.

(vi) Pension Branch

- All pension matters relating to HGT employees and Department.
- Action on Certificate & Report(C&R)of the AGHP(A&E)
- Ensure capitalized value from HRTC before releasing Pension and gratuity amount to HGT employees.
- Leave encashment,
- Retirement gratuity.
- Revision of pension cases.
- Arrear of DAs and due to revision of pension.

(vii) Composite Fee

- Accountal of bank drafts received from other states under National Permit
- Scheme for composite fee on computerized cash book.
- Holding/attending the monthly meeting of northern states on bank draft xchange
- Meeting which is being held in rotation at level of the State Transport irectorate.
- Accountal of bank drafts and process thereof which received after expiry date of validity.
- Reconciliation of bank drafts with treasury and Accounts.
- On receipt/accountal of bank drafts from other states, an intimation to this effect is sent to all the RTOs and barriers on CD,

(viii) Construction of bus stand

- Transfer of land in favour of the Director of Transfer and then to Transfer to HTTC as per instructions of the H.P-correspondence/ final action. Evolves the responsibility with the branch.

- MLA's priorities
- Matters relating to grant of new permits, time tables, plying of buses as per thief recommendations,, construction of bus stand, rain shelters and complaints of the public received from them

(ix) Assurances of Assembly Questions

Budget Assurances.

- General Development Committee on Departmental Activities.
- Committees on backward Class ,etc.
- Public Private Partnership
- Ex-gratia Passenger Accident Schemes

(x) Head of Audit Branch

(xi) Review meeting

- with Hon'ble CM
- With Hon'ble Transport Minister
- With the Addl. Chief Secretary(Tpt)
- With all the RTOs/field functionaries.

9. SECTION OFFICER (SAS), HQ Shimla.

- (i) To conduct internal Audit of all RTOs&RLAs of the State.
- (ii) Audit and Inspection Reports of AGHP(Audit) of all RTO/R&LA.
- (iii) CAG Report
- (iv) PAC matters
- (v) Suo-moto, Report, ATR,FATRs.
- (vi) Review notes of the Audit.
- (vii) Recovery from defaulters.
- (viii) ALR/Writing off cases.
- (ix) Adhoc committee on civil and revenue.
- (x) Store, Stock, Stationary.
- (xi) Vehicle cases
- (xii) Accommodation
- (xiii) Rent
- (xiv) Telephone
- (xv) Physical Verification of Stocks
- (xvi) E-Governance
- (xvii) Role of Presenting Officer in the Inquires instituted against official of this department.
- (xviii) Vidhan Sabha duty during budget and monsoon session.

10. ASSISTANT REGIONAL TRANSPORT OFFICERS (PARWANOO/ BADDI/BAROTIWALA/ KALA AMB/ PAONTA SAHIB /MEHATPUR/GAGRET/ SWARGHAT/ DAMTAL/ KANDWAL & TUNUHATTI).

- (i) All ARTO's are posted in Transport barrier as Incharge of Barriers.

- (ii) To check the illegal plying of vehicles in his barrier and Compounding challaning powers to streamline the traffic at the entry point of the State.
- (iii) To check the papers of vehicles entering in the state and collect taxes if any.
- (iv) They are working under the control of concerned RTOs.
- (v) Any other job assigned by the Head of Department.

11. SUPERINTENDENT GRADE-II (ESTABLISHMENT)

- To supervise all the works relating to the branch.
- Supervise all Class-III & IV staff on duties including Driver and checking up their day-to-day functions/disposal.
- To ensure all the dealing hands and diarist for maintaining all required registers and keep the same updated.
- To keep careful watch on the movement of Dak and files between branches and higher authorities.
- To ensure timely submission of time bound cases /court cases.
- To ensure that all manuals, rules instructions, guard file and precedent registers of the sections are kept up to date.

In the department of Transport, they are supervisory officer's. They not only to deal with routine work of dealing with files, as submitted to them by the dealing hands or handled by themselves but they have a crucial and specific role to play in ensuring efficiency, checking delays, and displaying drive and initiative to make systemic changes.

SUPERINTENDENT GR-II (GENERAL)

- I) Correspondence regarding weigh bridges.
- II) Project regarding JNNURM under Mass Transport System.
- III) Inland water Transport Development.
- IV) Statistical information of ferry/boats with seating capacity.
- V) Transport Development Council/State Transport Development Council.
- VI) Regulation of Traffic.
- VII) Complaints regarding Time Table.
- VIII) RTA meetings
- IX) Modification of route permits of State Carriages.
- X) Complaints regarding non-plying of buses.
- XI) Grant of auto rickshaw permits in State.
- XII) Employment Generation.
- XIII) Correspondence regarding concessional passes.
- XIV) State level Grievances Committee.
- XV) Inter State Agreement/Inter State Transport Council/Inter State Correspondence with all matters.
- XVI) Vidhan Sabha Business/ Vidhan Sabha Committees except PAC/Vidhan Sabha Assurance/ Budget Assurances.
- XVII) Fixing of Freight rates of goods carriages/Fare rates of Taxi/Maxi/Omni buses/ Stage Carriages.
- XVIII) Annual Administration Report.
- XIX) Employment General
- XX) Taxi Meter Scheme
- XXI) Metering of taxi/prepaid system.

SUPREINTENDENT GR-II (ENFORCEMENT)

- i) Implementation of all Act/Rules applicable in Transport Deptt.
- ii) Amendments in HP Motor Taxation Act/Rules.
- iii) Transport Policy.
- iv) Exemption of taxes/SRT.
- v) Notification under Motor Vehicle Act/Rules.
- vi) Allotment of Registration Marks.
- vii) Demand Charter of HRTC Employees Union & Private operators.
- viii) Settlement of challans of other states.
- ix) All court cases pertaining to Motor Vehicle Act/Rules.
- x) Misc circulars.

12. SENIOR ASSISTANTS**a) SENIOR ASSISTANT (ESTABLISHMENT):-**

- i) Deals with the matters relating to formulation of R&P Rules of all categories.
- ii) Court cases of Establishment section.
- iii) Continuation/creation of posts.
- iv) JCC meetings.
- iv) Allotment of govt. accommodation.
- vi) Maintenance of service books/personal files.
- vii) Transfer & postings of staff.
- viii) Complaint against officials of Transport Department.
- ix) Disciplinary cases/confirmation/DPC meetings, fixation of pay.
- xi) Trainings matters.
- xii) Sanction of all kind of leaves.
- xiii) Efficiency in administration.
- xiv) Inspection of offices.
- xv) Correspondence regarding daily wages, contract/part time workers.
- xvi) Vigilance cases.
- xvii) Miscellaneous correspondence/ Vidhan Sabha/Lok Sabha matters.
- xviii) ACRs.
- xviii) Information under RTI Act, 2005, etc.

b) SENIOR ASSISTANT-1 (ENFORCEMENT) :-

- i) Deals with the matters relating to State level Grievance Committee.
- ii) Inter State Agreements.
- iii) Inter State Transport Council.
- iv) Inter State correspondence.
- v) Vidhan Sabha Business/ Vidhan Sabha Committee except PACs/Assurances/Budget Assurances.
- vi) Fixation of Fare/freight rates of Goods/Contract/ Stage carriage bus.
- vii) Annual Administrative Report.
- viii) Metering of taxis/pre-paid systems
- ix) RTI applications disposals.

c) SENIOR ASSISTANT-2 (ENFORCEMENT) :

- i) Deals with implementation/clarification regarding the Central Motor Vehicle Act/ Rules, HP Motor Vehicle Rules, HP Motor Vehicle Taxation Act/Rules.

- ii) Transport Policy.
- iii) Cases of exemptions of taxes/SRT.
- iv) Notifications issued under Act/Rules.
- v) Forwarding of cases for allotment of registration series to the Govt.
- vi) Demand charter of HRTC and private operators regarding Stage Carriage operation.
- vii) Challan of other states, court cases under Motor Vehicle Act/Rules.
- viii) Miscellaneous circulars and correspondence thereof.

d) SENIOR ASSISTANT (STAGE CARRIAGE) :-

- i) Deals with the issues relating to the meetings of RTAs.
- ii) Complaints regarding time tables.
- iii) Modification of routes of the Stage Carriages.
- iv) Complaints regarding non-plying of buses.
- v) Grant of auto-rickshaws permits.
- vi) Formulation of routes approval thereof.

e) SENIOR ASSISTANT (BILL) :-

- i) Deals with the preparation of bills of officers/officials with the regard to their salary, arrears, TA, wages, RRT.
- ii) Medical reimbursement and contingent bills.

f) SENIOR ASSISTANT (CASHIER) :-

- i) Deals with the payments on account of all kind of bills, Maintenance of cash book.

g) SENIOR ASSISTANT (STORE) :-

- i) Deals with the purchase of stationery and store articles.
- ii) Maintenance of register thereof.
- iii) Passing of vouchers/sanction orders.

h) SENIOR ASSISTANT (Two in each RTO offices):-

- i) Deal with the maintenance of special road tax amount in r/o HRTC/private operators.
- ii) Assessment of Special Road Tax.
- iii) Maintenance of SRT registers.
- iv) Monthly information with regard to special road tax.
- v) Preparation of defaulters list in each month.
- vi) Preparation of ALR cases for recovery.
- vii) Audit paras settlement.
- viii) Issue of special permissions.
- ix) Deals with preparation of agenda for RTA meetings/ proceedings.
- x) To receive and scrutinize applications relating to Stage Carriages.
- xi) Court case of stage carriages.
- xii) Issue/renewal of permits and time tables.
- xiii) RTI information's.

13. MOTOR VEHICLE INSPECTOR

- i) To issue fitness certificate after checking the vehicle in a proper way.
- ii) To conduct driving test and issue certificates in this regard to the applicant.
- iii) To assist Assistant Commissioner Transport (Technical) as and when required.

14. PERSONAL ASSISTANT

- i) To take dictation in both English and Hindi Stenography, to transcribe the same on Computer and to present the transcribed dictation work to the officer concerned.
- ii) To type demi-official letters, secret, confidential and important letters.
- iii) To do other type of work as and when assigned by the concerned officer.
- iv) To attend the office telephones courteously and politely and to connect the outside calls with the officer, keeping in view the engagement of the officers and his directions.
- viii) To maintain the engagement diary and frame tour programme as per directions of the officers.
- ix) To ensure that the driver has obtained sufficient advance to meet expenses for the entire journey during tour.
- vi) To prepare tour diary/training allowance bill after the completion of the journey and to see that the pay and other bills are timely prepared.

15. JUNIOR AUDITOR

He is attached with the Section Officer (Audit) for the settlement of audit paras and to initiate action to audit recoveries pointed out by the audit against RTOs/RLAs in the Pradesh and also to prepare replies on behalf of Directorate in respect of PACs matters.

16. JUNIOR ASSISTANT/CLERK**Clerk (HQ)**

- i) Correspondence regarding weigh bridges, project regarding JNNURM under mass rapid transport System in Shimla Town, Inland Water Transport Development, Statistical information of ferry/boats with seating capacity, Transport Deveopment Council/State Transport Development Council and Inter Model Transport Study.
- ii) Preparation of agenda for the STA meetings, forwarding of applications to Chairman, STA for grant of National Permits for goods and contract carriages received from all RTOs, registration of non-transport vehicles, registration of commercial vehicles (Taxi/Maxi Cab/ Contract Carriage buses) and renewal/ issue of permits of these vehicles, Court cases of STA, reports of overloading by Trucks/buses.
- iii) Deals with updation of accident dates, correspondence/issue/renewal of licenses of Driving Training schools, Pollution Check Centres, Technical specifications of all type of vehicles, model approvals, issue of trade certificates, drawings, high security number plates, road safety programmes/meeting correspondence thereof, Smart Card.
- iv) Deals with computerization of department and attends to complaints relating any problem/technical defect if occurred in the computers of the field offices/barriers. Purchase, install, repair, AMCs of computers of Department. Assist Supdt. (Accounts) for maintenance of E-Governance account and passing of bills/voucher of computer repairs.
- v) Deals with the accounts of bank drafts into the govt. account received on account of National Permit Composite fee from all over the State, monitoring of collection of SRT at all District level RTO offices, to attend bankers committee meetings outside the State.

- vi) Deals with preparation of medical claims of retirees of erstwhile HGT employees and assist Superintend (Accounts).

Clerk (field offices)

- vii) Deals with the issuance/renewals of National Permit, Goods Carriage permit, Auto Rickshaws permit, Stage Carriage Permits/ realization of Special Road Tax, assessment of Special Road Tax, Registration of commercial vehicles as well as non commercial vehicles, court cases, RTI information, accompany with RTO for challaning of vehicles, maintenance of challaning records, preparation of defaulter lists, issue of taxi/maxi/contract carriage permit, issue of no objection certificate for conversion of vehicles/transfer of vehicle to other states, typing work, issue of driver/conductor license, sending of cases for grant of contract carriage/national permits to STA Himachal Pradesh and other general correspondence.
- viii) The day to day receipt of cash from the general public and maintenance of cash book thereof.
- ix) Two Clerks deployed specifically with RTO Flying Squad Shimla to convene surprise checking/illegal operation.
- i) To receive the dak from the Central registry, other sources, give acknowledgement for the same and submit the entire dak to the Superintendent Gr-I/II for marking.
 - ii) To distribute all dak after diarizing to the dealing hands as per marking by the Superintendent against proper receipts of the dealing hands.
 - iii) To maintain attendance register.
 - iv) To procure stationery articles for the section and to distribute the same.
 - v) To do type work of the section, neatly, cleanly and accurately. In many offices now, computers are being introduced. Clerks should learn word processing work as it saves a lot of time specially in column work or in re-typing fair drafts or making corrections and additions to drafts.
 - vi) To maintain casual leave account of the entire staff posted in the section and to forward applications for other type of leave to the administrative section.
 - vii) Referencing and flagging of Papers Under Consideration and fresh receipts with reference to all the communications referred to in the PUC or FR and the Sr. No. and –page No. thereof in the current or closed file(s); locating and adding files, papers, reference books and their extracts to files to enable the dealing hand to process cases.
 - viii) Properly maintain record and files as required in the Section/Office of posting and to maintain al register, prepare returns.
 - ix) To receive letters/other communications for dispatch to various destinations, including local dak.
 - x) To enter the letters/other communications in the dispatch register and place the same in respective Department-wise/address-wise compartments.

- xi) To ensure that, as far as possible, all communications, excepting secret/confidential or Demi-official letters meant for one office/officer/addressee are placed in one envelope to economise the use of envelopes and stamps.
- xii) To see that secret/confidential communications are dispatched in sealed covers.
- xiii) Besides this, in the department of Transport, some clerks are deployed in barriers/RTO offices to deal the day to day work as assigned to them by the respective Head of office i.e. registration of all types of vehicles, to collect taxes, composite fees, SRT amounts, driving license/conduct license fees, etc.

17. JUNIOR SCALE STENOGRAPHER

- i) To take dictation in both English and Hindi Stenography, to transcribe the same on Computer and to present the transcribed dictation work to the officer concerned.
- ii) To type semi-official letters, secret, confidential and important letters.
- iii) To do other type of work as and when assigned by the concerned officer.

18. STENOTYPIST

- i) To take dictation in both English and Hindi Stenography, to transcribe the same on Computer and to present the transcribed dictation work to the officer concerned.
- ii) To type demi-official letters, secret, confidential and important letters.
- iii) To do other type of work as and when assigned by the concerned officer.

19. TRAFFIC INSPECTOR

They are posted in the office of Regional Transport Officer Flying Squad. The work of Traffic Inspector in the department to check the illegal plying of vehicles and control the flow of vehicles during checking.

20. PROGRAMMER

- i) Identifying top management information needs and developing and implementing system to satisfy these needs, coordinate with external organization with respect to development of software, supply and installation of computer system etc.
- ii) To assist top management in framing policies on computerization.
- iii) Maintenance of the installed Software and confer with the users to gain understanding of needed changes or modifications of existing programs and to coordinate with the National Informatics Centre for related issues for updation of Software
- iv) Test and troubleshoot programs utilizing the appropriate hardware, database and programming technology. Troubleshooting at RTOs and ARTOs offices in Himachal Pradesh.
- v) To update the Department Web Site on regular basis.

- vi) Assist personnel of the Department as a Computer Resource.
- vii) Provide computer orientation to new Department staff.
- viii) Other duties as assigned from time to time.

21. COMPUTER OPERATOR

To feed the data (Back up)/registration data/accidental data in respect of vehicles in computer in the field offices/barriers.

22. DRIVERS

- i) To drive the assigned vehicle.
- ii) Accompany the Officer on tour with the vehicle.
- iii) Proper care and maintenance of the vehicle and maintenance of its log books up to date.
- iv) To implement economy measure instructions issued by the Government from time to time.
- v) To implement and maintain vehicle average according to the Government instructions.

23. CONSTABLES

They are posted with Regional Transport Officers, Flying Squad in the capacity of security purpose and help the staff to check the illegal vehicles plying in the state.

24. DAFTRI

- i) To mend, trim, stitch; bind etc., old records, files, etc., in Record Room and in the Sections.
- ii) To paste correction slips in the official reference books of various officers and those of the branches/sections.
- iii) To sort out and properly keep the record in the record section.
- iv) Besides this he is operating the photo state & stenciling machines.
- v) To arrange timely repair of machine.
- vi) Any other job assigned by the controlling officer.

25. PEON

- i) To carry and deliver dak within and outside the office (maximum weight to be carried outside the office not to exceed 10 kg.)
- ii) To ensure the cleanliness and general up-keep of the section/office wherein posted and of the furniture, fixture and equipment.
- iii) To perform miscellaneous and odd job for officers/officials.
- iv) To attend to any other work that may be assigned.
- v) To attend to officers at headquarters/field office and while on tour.

26. CHOWKIDAR

- i) To keep watch and ward during and after office hours.
- ii) To take precautionary measures relating to prevention of fire and damage to Government property.

27. SWEEPER

- i) To sweep, clean and mop the rooms, corridors, verandahs and compound.
- ii) To clean the lavatories, urinals, baths, wash basins, etc. daily and properly.
- iii) To light the stoves/angithies and to perform the allied work relating to this job.
- iv) To collect and dispose off all waste in the office.

28. HOME GUARD

They are posted at Transport Barriers in the capacity of security purpose and help the barrier staff to check the vehicles entered in the state without paying composite fees/taxes.

ब अदालत श्री आर० पी० शर्मा, नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, तहसील धर्मशाला, जिला कांगड़ा, हिमाचल प्रदेश

मुकद्दमा नं० 585

श्री ज्वाला बहादुर गुरंग

बनाम

आम जनता।

विषय.—प्रार्थना—पत्र जेर धारा 13 (3) हिमाचल प्रदेश पंजीकरण अधिनियम, 1969.

नोटिस बनाम आम जनता।

श्री ज्वाला बहादुर गुरंग पुत्र श्री रणबहादुर गुरंग, निवासी गांव व डा० सिद्धवाड़ी, तहसील धर्मशाला, जिला कांगड़ा ने इस अदालत में शपथ—पत्र सहित मुकद्दमा दायर किया है कि उसके पुत्र विजेन्द्र गुरंग का जन्म दिनांक 15-4-1985 को हुआ है। परन्तु ग्राम पंचायत सिद्धवाड़ी में जन्म पंजीकृत न है अतः इसे पंजीकृत किये जाने के आदेश दिये जाये। इस नोटिस के द्वारा समस्त जनता को तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को उपरोक्त बच्चे विजेन्द्र गुरंग का जन्म पंजीकरण किये जाने बारे कोई एतराज हो तो वह अपना एतराज हमारी अदालत में दिनांक 15-6-2010 को असालतन या वकालतन हाजिर आकर अपना एतराज पेश कर सकता है। अन्यथा मुताबिक शपथ—पत्र जन्म तिथि पंजीकृत किये जाने बारे आदेश पारित कर दिये जाएंगे।

आज दिनांक 31-5-2010 को हमारे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर।

आर० पी० शर्मा,
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी,
तहसील धर्मशाला, जिला कांगड़ा, हिमाचल प्रदेश।

ब अदालत श्री जे० आर० शर्मा, तहसीलदार एवं कार्यकारी दण्डाधिकारी, तहसील धर्मशाला, जिला कांगड़ा, हिमाचल प्रदेश

मुकद्दमा नं०...../नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी

श्री Dawa Chonzom

बनाम

आम जनता।

विषय.—प्रार्थना-पत्र जेर धारा 13 (3) हिमाचल प्रदेश पंजीकरण अधिनियम, 1969.

नोटिस बनाम आम जनता।

श्रीमती Dawa Chonzom पुत्री श्री Yeshi Dorjee, निवासी Tashi Deleck House, House No. 400, Tushita Road मौजा Mcleodganj, तहसील धर्मशाला, जिला कांगड़ा ने इस अदालत में शपथ-पत्र सहित मुकद्दमा दायर किया है कि उसकी Sister Sonam Yangchen w/o Pema Rinzin की जन्म तिथि 28-5-1994 है। परन्तु एम0 सी0 Dharamshala में उक्त तारीख पंजीकृत न हुई है अतः इसे पंजीकृत किये जाने के आदेश दिये जायें। इस नोटिस के द्वारा समस्त जनता को तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को उपरोक्त बच्चे का जन्म पंजीकृत किये जाने बारे कोई एतराज हो तो वह अपना एतराज हमारी अदालत में दिनांक 4-8-2010 को असालतन या वकालतन हाजिर होकर उजर पेश कर सकता है। अन्यथा मुताबिक शपथ-पत्र जन्म तिथि पंजीकृत किये जाने बारे आदेश पारित कर दिये जाएंगे।

आज दिनांक 4-6-2010 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया।

मोहर।

जे0 आर0 शर्मा,
तहसीलदार एवं कार्यकारी दण्डाधिकारी,
तहसील धर्मशाला, जिला कांगड़ा, हिमाचल प्रदेश।

ब अदालत श्री माधो राम धीमान, नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, मुलथान, जिला कांगड़ा

श्री राम प्रताप पुत्र श्री नानक चन्द, निवासी नलोहता, डाकघर बड़ाग्रां, उप-तहसील मुलथान, जिला कांगड़ा, हिमाचल प्रदेश

बनाम

आम जनता

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम आम जनता।

श्री राम प्रताप पुत्र श्री नानक चन्द, निवासी नलोहता, डाकघर बड़ाग्रां, उप-तहसील मुलथान, जिला कांगड़ा, ने इस अदालत में प्रार्थना-पत्र मय शपथ-पत्र इस आशय से गुजारा है कि उसकी पुत्री अनामिका पुत्री श्री राम प्रताप का जन्म 6-3-2007 को हुआ है जिसका पंजीकरण ग्राम पंचायत बड़ाग्रां में गलती से दर्ज नहीं करवाया गया है। अब दर्ज करने के आदेश पारित किए जाएं।

अतः इस नोटिस द्वारा समस्त जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि उपरोक्त जन्म तिथि दर्ज करने बारे किसी को कोई एतराज हो तो वह दिनांक 13-7-2010 को समय 10.00 बजे प्रातः असालतन या वकालतन हमारे समक्ष अदालत में हाजिर हो कर अपना एतराज पेश कर सकता है अन्यथा एकतरफा कार्यवाही अमल में लाई जाएगी।

आज दिनांक 13-5-2010 को हमारे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

माधो राम धीमान,
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी,
मुलथान, जिला कांगड़ा।

ब अदालत श्री माधो राम धीमान, नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, मुलथान, जिला कांगड़ा

श्री राम प्रताप पुत्र श्री नानक चन्द, निवासी नलोहता, डाकघर बड़ाग्रां, उप-तहसील मुलथान, जिला कांगड़ा, हिमाचल प्रदेश

बनाम

आम जनता

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम आम जनता।

श्री राम प्रताप पुत्र श्री नानक चन्द, निवासी नलोहता, डाकघर बड़ाग्रां, उप-तहसील मुलथान, जिला कांगड़ा, ने इस अदालत में प्रार्थना-पत्र मय शपथ-पत्र इस आशय से गुजारा है कि उसकी पुत्री मल्लिका देवी पुत्री श्री राम प्रताप का जन्म 1-1-2006 को हुआ है जिसका पंजीकरण ग्राम पंचायत बड़ाग्रां में गलती से दर्ज नहीं करवाया गया है। अब दर्ज करने के आदेश पारित किए जाएं।

अतः इस नोटिस द्वारा समस्त जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि उपरोक्त जन्म तिथि दर्ज करने बारे किसी को कोई एतराज हो तो वह दिनांक 13-7-2010 को समय 10.00 बजे प्रातः असालतन या वकालतन हमारे समक्ष अदालत में हाजिर हो कर अपना एतराज पेश कर सकता है अन्यथा एकतरफा कार्यवाही अमल में लाई जाएगी।

आज दिनांक 13-5-2010 को हमारे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

माधो राम धीमान,
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी,
मुलथान, जिला कांगड़ा।

गृह विभाग अनुभाग-डी

अधिसूचना

शिमला-2, 19 मई, 2010

संख्या गृह-डी-ए-(3)-1/2008.—हिमाचल प्रदेश की राज्यपाल, भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश पुलिस सर्विस रूल्स 1973 का और संशोधन करने के लिए निम्नलिखित नियम बनाती हैं अर्थात :-

1. संक्षिप्त नाम और प्रारम्भ.—(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश, पुलिस सर्विस (22 वां संशोधन) नियम, 2010 है।

(2) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे।

2. समय-समय पर जारी अधिसूचनाओं के संक्षिप्त नाम का संशोधन.—हिमाचल प्रदेश पुलिस सर्विस रूल्स, 1973 (जिन्हें इसमें इसके पश्चात "उक्त नियम" कहा गया है) में समय- समय पर जारी संशोधन अधिसूचनाओं के क्रम (सिआरिएटम) को निम्नलिखित क्रम में पढा जाएगा:-

| Sr. No. | No. & date of Notification | Short title of Rule |
|---------|--|--|
| 1. | 6-3-74-Appptt. Dated 25.6.74 | These rules may be called the Himachal Pradesh Police (1st Amendment) Rules, 1974 |
| 2. | 6-3-74-Appptt. Dated 7.8.74 | These rules may be called the Himachal Pradesh Police (2nd Amendment) Rules, 1974 |
| 3. | Per(A-I)A(3)-1/75, dated 11.1.76 | These rules may be called the Himachal Pradesh Police (3rd Amendment) Rules, 1976 |
| 4. | Per(A-I)A(3)-1/75, dated 31.7.76 | These rules may be called the Himachal Pradesh Police (4th Amendment) Rules, 1976 |
| 5. | Per(A-I)A(3)-1/75, dated 21.9.77 | These rules may be called the Himachal Pradesh Police (5th Amendment) Rules, 1977 |
| 6. | Karmik(A-I)-A(3)-1/75, dated 2.6.80 | These rules may be called the Himachal Pradesh Police (6th Amendment) Rules, 1980 |
| 7. | Per(A-I)-A(3)-2/81, dated 11.8.1981 | These rules may be called the Himachal Pradesh Police (7th Amendment) Rules, 1981 |
| 8 | Per(A-I)-A(3)-2/81 dated 17.8.82 | These rules may be called the Himachal Pradesh Police (8th Amendment) Rules, 1982 |
| 9 | Per(A-I)-A(3)-2/81 dated 31.1.83 | These rules may be called the Himachal Pradesh Police (9th Amendment) Rules, 1983 |
| 10 | Karmik(A-I)B(3)-2/81, dated 10.11.1983 | These rules may be called the Himachal Pradesh Police (10th Amendment) Rules, 1983 |
| 11. | Karmik(A-I)B(3)-2/81, dated 21.3.1984 | These rules may be called the Himachal Pradesh Police (11th Amendment) Rules, 1984 |
| 12. | Home-D(A-3)-2/81, dated 10.12.84 | These rules may be called the Himachal Pradesh Police (12th Amendment) Rules, 1984 |
| 13. | Home-D(A-3)-2/81, dated 14.3.1985 | These rules may be called the Himachal Pradesh Police (13th Amendment) Rules, 1985 |
| 14. | Home-D(A-3)-2/81, dated 30.3.89 | These rules may be called the Himachal Pradesh Police (2nd Amendment) Rules, 1989. |
| 15. | Home-D(A-3)-2/81, dated 18.12.1990 | These rules may be called the Himachal Pradesh Police (15th Amendment) Rules, 1990 |
| 16. | Home-D(B-I)-2/78, dated 17.6.1992 | These rules may be called the Himachal Pradesh Police (16th Amendment) Rules, 1992 |
| 17. | Home-D(B-1)-2/78, dated 6.10.1994 | These rules may be called the Himachal Pradesh Police (17th Amendment) Rules, 1994 |
| 18. | Home-D(A-3)-2/81, dated 11.11.1994 | These rules may be called the Himachal Pradesh Police (18th Amendment) Rules, 1994 |
| 19. | Home-D(A-3)-2/81-1, dated 17.8.1996 | These rules may be called the Himachal Pradesh Police (19th Amendment) Rules, 1996 |
| 20. | Home-D(B-1)-2/78-II, dated 24.3.2000 | These rules may be called the Himachal Pradesh Police (20st Amendment) Rules, 2000 |
| 21. | Home-D(B-1)-2/78-II, dated 24.02.2006 | These rules may be called the Himachal Pradesh Police (21d Amendment) Rules, 2006 |

3. अपैन्डिक्स "ए" का संशोधन.—उक्त नियमों के अपैन्डिक्स "ए" में विद्यमान उपबन्धों के स्थान पर निम्नलिखित रखा जाएगा, अर्थात :-

APPENDIX "A"
(See rule 3)

| Sl. No. | Designation/ Posts | Number of Duty |
|----------------|--|-----------------------|
| 1. | Police Welfare Officer | 01 |
| 2. | Addl. S.P.s (for Shimla=2, Dharamshala=2, and one each for Mandi, Solan, Sirmour, Chamba, Kullu, Hamirpur, Una and Bilaspur). | 12 |
| 3. | Addl. S.P. (R&T)/CID | 02 |
| 4. | Addl. S.P.s (3 each for Ist, 2nd, 3rd, 4th, 5th & 6th IRB Bns). | 18 |
| 5. | Addl. SP for HP Institute Police Studies | 01 |
| 6. | Dy. S.P's. (one each for all the Districts) | 12 |
| 7. | Dy. S.P.(City), Shimla. | 01 |
| 8. | SDPO's (one each for Palampur, Sundernagar, Nalagarh, Nurpur, Paonta Sahib, Rohru, Rampur, Anni, Dalhousie, Rajgarh, Dehra, Parwanoo, Salooni, Manali, Theog, Sarkaghat, Jawali, Amb, Ghumarwin, Barsar and Baijnath). | 21 |
| 9. | Dy. S.P. (CID) (Crime), Spl. Branch, SCRB (Computer), Kangra and Mandi. | 05 |
| 10. | Dy. S.P. C.M. Security | 01 |
| 11. | Dy. S.P. (PTC) Daroh | 03 |
| 12. | Dy. S.Ps, SV&ACBt) | 03 |
| 13. | Dy. S.P.s (Battalions) (Ist, 2nd & 3rd IRBn.& HPAP Battalions) | 20 |
| 14. | Dy. S.P. for Anti Corruption Units (one each for Shimla, Mandi, Dharamshala, Solan, Hamirpur, Kullu, Chamba, Nahan, Una and Bilaspur, Kinnaur & L&S). | 12 |
| 15. | Dy. SPs seven each for 4th, 5th & 6th IRBns | 21 |
| 16. | Dy. SP for HP Institute Police Studies | 03 |
| 17. | Dy. SP for Distt. Police, BBN | 01 |
| | | ----- |
| | Total Duty Posts = | 137 |
| | i) Total Duty Posts = | 137 |
| | ii) Deputation Reserve = | 12 |
| | iii) Leave Reserve = | 10 |
| | iv) Training Reserve = | 10 |
| | | ----- |
| | TOTAL AUTHORIZED STRENGTH | 169 |
| | | ----- |

आदेश द्वारा,
हस्ताक्षरित /—
मुख्य सचिव।

[Authoritative English text of this Department Notification No.Home-D-A(3)-1/2008, dated 19.05.2010 as required under Article 348 (3) of Constitution of India].

HOME DEPARTMENT D-SECTION

NOTIFICATION

Shimla-171002, 19th May, 2010

No. Home-D-A(3)-1/2008.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh, is pleased to make the following rules further to amend the Himachal Pradesh Police Service Rules, 1973, namely:-

1. Short Title and Commencement.—(1) These rules may be called the Himachal Pradesh Police Service (22nd Amendment) Rules, 2010.

(2) These rules shall come into force from the date of publication in Rajpatra, Himachal Pradesh.

2. Amendment of Short title of the Notifications issued from time to time.—In the Himachal Pradesh Police Service Rules, 1973 (hereinafter called as the “said Rules”) the seriatum of amendment notifications, issued from time to time, shall be read in the following order:-

| Sr. No. | No. & date of Notification | Short title of Rule |
|---------|--|--|
| 1. | 6-3-74-Apptt. Dated 25.6.74 | These rules may be called the Himachal Pradesh Police (1st Amendment) Rules, 1974 |
| 2. | 6-3-74-Apptt. Dated 7.8.74 | These rules may be called the Himachal Pradesh Police (2nd Amendment) Rules, 1974 |
| 3. | Per(A-I)A(3)-1/75, dated 11.1.76 | These rules may be called the Himachal Pradesh Police (3rd Amendment) Rules, 1976 |
| 4. | Per(A-I)A(3)-1/75, dated 31.7.76 | These rules may be called the Himachal Pradesh Police (4th Amendment) Rules, 1976 |
| 5. | Per(A-I)A(3)-1/75, dated 21.9.77 | These rules may be called the Himachal Pradesh Police (5th Amendment) Rules, 1977 |
| 6 | Karmik(A-I)-A(3)-1/75, dated 2.6.80 | These rules may be called the Himachal Pradesh Police (6th Amendment) Rules, 1980 |
| 7. | Per(A-I)-A(3)-2/81, dated 11.8.1981 | These rules may be called the Himachal Pradesh Police (7th Amendment) Rules, 1981 |
| 8 | Per(A-I)-A(3)-2/81 dated 17.8.82 | These rules may be called the Himachal Pradesh Police (8th Amendment) Rules, 1982 |
| 9 | Per(A-I)-A(3)-2/81 dated 31.1.83 | These rules may be called the Himachal Pradesh Police (9th Amendment) Rules, 1983 |
| 10 | Karmik(A-I)B(3)-2/81, dated 10.11.1983 | These rules may be called the Himachal Pradesh Police (10th Amendment) Rules, 1983 |
| 11. | Karmik(A-I)B(3)-2/81, dated 21.3.1984 | These rules may be called the Himachal Pradesh Police (11th Amendment) Rules, 1984 |
| 12. | Home-D(A-3)-2/81, dated 10.12.84 | These rules may be called the Himachal Pradesh Police (12th Amendment) Rules, 1984 |

| | | |
|-----|---------------------------------------|--|
| 13. | Home-D(A-3)-2/81, dated 14.3.1985 | These rules may be called the Himachal Pradesh Police (13th Amendment) Rules, 1985 |
| 14. | Home-D(A-3)-2/81, dated 30.3.89 | These rules may be called the Himachal Pradesh Police (2nd Amendment) Rules, 1989. |
| 15. | Home-D(A-3)-2/81, dated 18.12.1990 | These rules may be called the Himachal Pradesh Police (15th Amendment) Rules, 1990 |
| 16. | Home-D(B-I)-2/78, dated 17.6.1992 | These rules may be called the Himachal Pradesh Police (16th Amendment) Rules, 1992 |
| 17. | Home-D(B-1)-2/78, dated 6.10.1994 | These rules may be called the Himachal Pradesh Police (17th Amendment) Rules, 1994 |
| 18. | Home-D(A-3)-2/81, dated 11.11.1994 | These rules may be called the Himachal Pradesh Police (18th Amendment) Rules, 1994 |
| 19. | Home-D(A-3)-2/81-1, dated 17.8.1996 | These rules may be called the Himachal Pradesh Police (19th Amendment) Rules, 1996 |
| 20. | Home-D(B-1)-2/78-II, dated 24.3.2000 | These rules may be called the Himachal Pradesh Police (20st Amendment) Rules, 2000 |
| 21. | Home-D(B-1)-2/78-II, dated 24.02.2006 | These rules may be called the Himachal Pradesh Police (21d Amendment) Rules, 2006 |

3. Amendment of APPENDIX "A".—For APPENDIX "A" of the said rules, the following shall be substituted:—

APPENDIX "A"
(See rule 3)

| Sl. No. | Designation/Posts | Number of Duty |
|---------|--|----------------|
| 1. | Police Welfare Officer | 01 |
| 2. | Addl. S.P.s (for Shimla=2, Dharamshala=2, and one each for Mandi, Solan, Sirmour, Chamba, Kullu, Hamirpur, Una and Bilaspur). | 12 |
| 3. | Addl. S.P. (R&T)/CID | 02 |
| 4. | Addl. S.Ps (3 each for Ist, 2nd, 3rd, 4th, 5th & 6th IRB Bns). | 18 |
| 5. | Addl. SP for HP Institute Police Studies | 01 |
| 6. | Dy. S.P's. (one each for all the Districts) | 12 |
| 7. | Dy. S.P. (City), Shimla. | 01 |
| 8. | SDPO's (one each for Palampur, Sundernagar, Nalagarh, Nurpur, Paonta Sahib, Rohru, Rampur, Anni, Dalhousie, Rajgarh, Dehra, Parwanoo, Salooni, Manali, Theog, Sarkaghat, Jawali, Amb, Ghumarwin, Barsar and Baijnath). | 21 |

| | | |
|---------------------------|---|-------|
| 9. | Dy. S.P. (CID) (Crime), Spl. Branch, SCRB (Computer), Kangra and Mandi. | 05 |
| 10. | Dy. S.P. C.M. Security | 01 |
| 11. | Dy. S.P. (PTC) Daroh | 03 |
| 12. | Dy. S.Ps, SV&ACBt) | 03 |
| 13. | Dy. S.P.s (Battalions) (Ist, 2nd & 3rd IRBn. & HPAP Battalions) | 20 |
| 14. | Dy. S.P. for Anti Corruption Units (one each for Shimla, Mandi, Dharamshala, Solan, Hamirpur, Kullu, Chamba, Nahan, Una and Bilaspur, Kinnaur & L&S). | 12 |
| 15. | Dy. SPs seven each for 4th, 5th & 6th IRBns | 21 |
| 16. | Dy. SP for HP Institute Police Studies | 03 |
| 17. | Dy. SP for Distt. Police, BBN | 01 |
| | | ----- |
| Total Duty Posts = | | 137 |
| (i) Total Duty Posts = | | 137 |
| (ii) Deputation Reserve = | | 12 |
| (iii) Leave Reserve = | | 10 |
| (iv) Training Reserve = | | 10 |
| | | ----- |
| TOTAL AUTHORIZED STRENGTH | | 169 |
| | | ----- |

By order,
Sd/-
Chief Secretary.

डॉ० वाई० एस० परमार औद्यानिकी एवं वानिकी विश्वविद्यालय

हिमाचल प्रदेश ड्राफ्ट अधिसूचना

दिनांक.....

जबकि राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को अपने व्यय पर सार्वजनिक प्रयोजन/नामत: जिला सोलन, हिमाचल प्रदेश के डा० यशवन्त सिंह परमार औद्यानिकी एवं वानिकी विश्वविद्यालय, नौणी की स्थापना हेतु भूमि अर्जित करनी अपेक्षित है। अतः एतद्वारा यह अधिसूचित किया जाता है कि परिक्षेत्र में जैसा कि नीचे विवरणी में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन सम्मिलित है।

यह अधिसूचना भू-अर्जन अधिनियम, 1894 की धारा 4 के उपबन्ध के अन्तर्गत इन सभी को दी जाती है जो इससे सम्बन्धित हैं।

पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश इस व्यवसाय में संलग्न अधिकारियों को अपने नौकरों तथा सर्वेक्षण करने और अन्य सभी कार्य जो उस द्वारा आपेक्षित तथा अनुमत है को करने हेतु प्रवेश के लिए अधिकृत करते हैं।

अत्यधिक आवश्यकताओं को दृष्टि में रखते हुए राज्यपाल, हिमाचल प्रदेश उक्त अधिनियम की धारा 17/4 के अधीन यह भी निर्देश देते हैं कि उक्त अधिनियम की धारा 5/ए के उपबन्ध इस मामले में लागू नहीं होंगे।

विवरणी

| जिला | तहसील | गांव | खसरा नम्बर | क्षेत्र | |
|------|-------|-------|------------|---------|--------|
| | | | | बीघा | बिस्वा |
| सोलन | सोलन | नन्डो | 236 / 39 | 01 | 19 |

हस्ता० /—
ग्रामीण राजस्व
अधिकारी व हल्का
पटवारी, वृत्त नौणी
तहसील सोलन,
जिला सोलन,
(हि० प्र०)

हस्ता० /—
क्षेत्रीय कानूनगो

हस्ता० /—
तहसीलदार सोलन
जिला सोलन
(हि० प्र०)

हस्ता० /—
Collector, Sub
Division, Solan-cum-
Lao Kumar Hatti,
Nahan Road (H.P.).

MPP & POWER DEPARTMENT

NOTIFICATION

Shimla, the 10th June, 2010

No. MPP-A (3)-1/2001-IV.— In exercise of the power conferred by Section 131(2), 132, 133 and other applicable provisions of the Electricity Act 2003, the Government of Himachal Pradesh (hereinafter the State Government) hereby makes the following Transfer scheme for providing and giving effect to the transfer of functions, undertakings, assets, properties, rights, liabilities, obligations, proceedings and personnel of erstwhile 'Himachal Pradesh State Electricity Board', which stand vested in the Government of Himachal Pradesh under section 131 (1) of the Electricity Act, 2003 vide Notification No. MPP-A(3)-1/2001-IV dated 15.6.2009 read with notification No. MPP-A(3)-1/2001-IV dated 3.10.2009, to the extent and in the manner provided for hereinafter in the corporate entities constituted for the purpose.

1. Short title, extent and commencement.—(1) This Scheme maybe called the 'Himachal Pradesh Power Sector Reforms Transfer Scheme, 2010'.

(2) This Scheme shall extend to the whole of the State of Himachal Pradesh and also to such Assets, Properties, Rights, Liabilities, Obligations, Proceedings and Personnel of the erstwhile Himachal Pradesh State Electricity Board as vested in the Government of Himachal Pradesh vide notification dated 15.6.2009 under section 131(1) of Electricity Act, 2003.

(3) This Scheme shall come into force on the date of its publication in the official gazette.

2. Definitions.—(1) In this scheme, unless there is anything repugnant in the subject or context :

- (a) “Act” means the Electricity Act, 2003 (Act No.36 of 2003)
- (b) “Assets” means the Power system assets of any description whatsoever belonging to the erstwhile Board including dams, dykes, reservoirs, tunnels, intake and outlet structures of water conductor systems, generating stations with associated plants, machineries, equipments, transmission and distribution systems, lands, buildings, offices, stores, furniture, fixtures, vehicles, residential quarters and guest houses and amenities and installations pertaining thereto and other movable and immovable assets, cash in hand, cash at bank, investments, equity, book debts, corporeal or incorporeal, tangible and intangible assets, benefits, licences, consents, authorities, registrations, liberties, patents, trademarks and powers of every kind, nature and description whatsoever, rights, privileges, easements, advantages, benefits and approvals, contracts, deeds, schemes, bonds, agreements and other instruments and interest of whatever nature and wherever situated including the contingent assets, which vested in the State Government as per notification dated 15.6.2009 under section 131(1) of the Electricity Act, 2003 and the assets as created in the name of ‘HPSEB’ in the intervening period of 15.6.2009 and the effective date as mentioned above.
- (c) “Board” or HPSEB means the ‘Himachal Pradesh State Electricity Board’ constituted under Section 5 of the Electricity (Supply) Act, 1948 (Central Act No. 54 of 1948) as it existed before 15.6.2009;
- (d) “Effective date of re-vesting” means date on which the present Transfer Scheme becomes effective in terms of sub-clause (3) of clause (1) above;
- (e) “Liabilities” include all liabilities, debts, duties, obligations and other outgoings including statutory liabilities and Government levies of whatever nature including the contingent liabilities of the Board which may arise in regard to dealings before the effective date of re-vesting;
- (f) “Personnel” means existing and retired workmen, employees, staff and officers of the Board by whatever name called including those on deputation or on secondment in other organizations or institutions, but shall exclude persons on deputation from other organizations to the Board;
- (g) “Proceedings” include all proceedings of whatever nature including suits, appeals, complaints, petitions, applications, conciliatory or arbitration, whether civil or criminal, or otherwise in which “Board” is one of the parties;
- (h) “Himachal Pradesh State Electricity Board Limited” or “HPSEB Ltd.” means “Himachal Pradesh State Electricity Board Limited” incorporated under the Companies Act, 1956;
- (i) “Scheme” means ‘Himachal Pradesh Power Sector Reforms Transfer Scheme, 2010’
- (j) “State” means the State of Himachal Pradesh;
- (k) “State Government” means the Government of Himachal Pradesh;

- (l) “Himachal Pradesh Power Corporation Ltd.” or “HPPCL” means “Himachal Pradesh Power Corporation Ltd.” incorporated under the Companies Act, 1956.
- (m) “Himachal Pradesh Transmission Corporation (Private) Ltd.” or “HPPTCL” means “Himachal Pradesh Transmission Corporation (Private) Ltd.” incorporated under the Companies Act, 1956.
- (n) “Transferee” means “HPSEB Ltd.” or “HPPTCL”, as the case may be;
- (o) “Undertaking(s)” means the functions, properties, interest, rights and liabilities of the Board as specified in the Scheme.

(2) Words and expressions used and defined in the Electricity Act, 2003 or the Rules framed there under but not defined in this scheme shall have the same meaning as assigned in the Act or Rules.

3. Re-Vesting of Assets and Liabilities etc. from the State Government in to the corporate bodies:

The assets and liabilities of the Board as already vested in the State Government as per Notification No. MPP-A(3)-1/2001-IV dated 15.6.2009 read with notification No. MPP-A(3)-1/2001-IV dated 3.10.2009 issued under section 131(1) etc. of the Act, shall be re-vested in the corporate bodies as under:-

- (1) On and from the effective date of re-vesting all assets, properties, interest in properties, rights and liabilities of the Board including all obligations and contingencies vested in the State Government as stated above shall stand re-vested in ‘Himachal Pradesh State Electricity Board Ltd’ except those re-vested in “Himachal Pradesh Transmission Corporation (Private) Ltd.” as described below:—
 - (i) On and from the effective date of re-vesting all assets, properties, interest in properties, rights and liabilities of the Board including all obligations and contingencies vested in the State Government as stated above relating to transmission lines (not being essential part of distribution system or the dedicated lines from existing or future power houses of ‘HPSEB Ltd.’) as detailed in Schedule-A shall stand vested/transferred to ‘HPPTCL’.
 - (ii) On and from the effective date of re-vesting all assets, properties, interest in properties, rights and liabilities of the Board including all obligations and contingencies already transferred to ‘HPPCL’ would remain vested in ‘HPPCL’.
- (2) The assets of the Board as on 31.3.2008 have been described in Schedule attached with Notification No. MPP-A(3)-1/2001-IV dated 15.6.2009 read with notification No. MPP-A(3)-1/2001-IV dated 3.10.2009. The government may re-value the assets of the Board up to the effective date of re-vesting.
- (3) The re-vesting of the undertakings in the names of the transferees in terms of this scheme shall take effect immediately on the effective date of re-vesting irrespective of the fact that the value of such undertakings re-vested in ‘HPSEB Ltd.’ and ‘HPPTCL’ shall be notified by the State Government within a period of 12 months from the

effective date of re-vesting or 6 months of the audited accounts of the erstwhile Board are available after the date of effective date of re-vesting. Till the time proper valuation or re-valuation is done by the Government, the book value shall be taken as the base value of the assets.

- (4) Nothing in sub-clause (1) above shall apply to rights, responsibilities, liabilities and obligations in respect of the personnel and matters relating thereto including statutory dues such as salary, wages, gratuity, pension, provident fund, compensation and retirement benefits and these shall be dealt with in the manner provided under clause 5 of this Scheme.

4. Transfer of functions and undertakings.—(1) With effect from date of re-vesting, the 'HPSEB Ltd.' shall undertake the functions of generation, distribution and trading of electricity along with all undertakings including residuary and miscellaneous assets, rights, interests and obligations which have not been specifically transferred to 'HPPTCL', under the scheme or retained by the government.

(2) With effect from the date of re-vesting, the function of evacuation of power by intra-state or inter-state transmission lines shall be done by 'HPPTCL' subject to permissible transmission system remaining part of distribution network of the 'HPSEB Ltd'.

(3) The 'HPSEB Ltd.' while acting as distribution licensee, shall be entitled to lay and operate such electric line, sub-station and electrical plant that is primarily maintained for the purpose of distributing electricity in the area of supply of 'HPSEB Ltd.', notwithstanding that such line, sub-station or electrical plant are high pressure cables or overhead lines or associated with such high pressure cables or overhead lines; or used incidentally for the purpose of transmitting electricity for others, in accordance with Electricity Act, 2003 or the Rules framed there under.

(4) The 'HPSEB Ltd.' shall operate and maintain existing generating stations and shall establish, operate and maintain generating stations, tie-lines, sub-stations and dedicated transmission lines connected there with as per the provisions of the Act and the Rules framed there under.

(5) The 'HPSEB Ltd.' shall be entitled to trade in electricity as permissible under the Act.

(6) The statutory functions of 'State Load Dispatch Centre' under the Act shall be undertaken by an entity under the Directorate of Energy, Government of Himachal Pradesh. To undertake the economic dispatch of electricity from the generating stations to various load centers, including the on-line real time monitoring and control of supply of electricity in the area of supply, 'HPSEB Ltd.' shall run its 'Area Load Dispatch Centre'. The present 'State Load Dispatch Centre' shall also include the 'HPSEB Area Load Dispatch Centre', each with their independent functions. An appropriate division of assets shall take place within a period of 12 months from the effective date of re-vesting or 6 months of the audited accounts of the erstwhile Board becoming available after the effective date of re-vesting.

(7) The statutory function of 'State Transmission Utility (STU)' shall be performed by the HPPTCL.

(8) On such transfer and re-vesting of the Assets and Liabilities including all rights, interests, obligations and contingencies, the relevant Transferee shall be responsible for all its functions, including contracts, rights, deeds, schemes, bonds, agreements and other instruments of whatever nature pertaining to the undertaking(s) transferred to it, to which the Board/ State was

initially a party, subsisting or having effect on the effective date of re-vesting, in the same manner as the Board/State was liable immediately before the effective date of re-vesting, and the same shall be in full force and effect against or in favour of the Transferee and may be enforced as fully and effectively as if the Transferee had been a party thereto instead of the Board/State. However, the contribution towards pension and other terminal benefits of relevant personnel shall be paid to "HPSEB Ltd." by the respective entities i.e. HPPTCL or HPPCL.

(9) With effect from the date of re-vesting, the 'HPPCL' will continue to work as a generation company as permissible under law, owning the assets already transferred to it by the Board or owned by it, till the date of re-vesting. Some assets have been transferred to 'HPPCL' by the State Government, after the assets and properties of the Board were vested in the State Government vide notification dated 15.6.2009 and before the framing of the present transfer scheme. Such assets shall also remain vested in 'HPPCL' and such transfer shall stand regularized.

(10) As consideration for the re-vesting of the assets and liabilities, including all rights, obligations and contingencies to the Transferees as mentioned in sub-clause (1) and (2) above, shares of appropriate amount shall be issued to the State Government.

5. Transfer of Personnel :

Section 133
of EA, 2003

(1) The transfer of personnel in terms of this Scheme shall be subject to the terms and conditions contained in section 133 of the Act.

(2) Subject to sub-clause (1), all the personnel of the Board as on the effective date of re-vesting shall stand transferred to 'HPSEB Ltd.' and as required further deployment in HPPTCL or HPPCL as the case may be.

(3) The personnel of HPSEB Ltd. deployed in HPPCL shall have their work experience in a particular category counted from date of appointment for purposes of seniority vis-à-vis directly recruited employees of HPPCL. All posts in HPPCL of categories existing in HPSEB Ltd. will be filled by deployment from HPSEB Ltd. and only in case of non availability of requisite personnel in HPSEB Ltd., HPPCL shall carry out direct recruitment. Further, issues relating to equivalence of employees of erstwhile Board working at present or to be deployed in future in HPPCL shall be reviewed from time to time.

(4) After the effective date of re-vestment, HPSEB Ltd. shall be the cadre controlling authority with respect to all the employees of HPSEB Ltd. and all such employees of HPSEB Ltd. who are deployed/to be deployed in HPPCL and HPPTCL. After the effective date of re-vestment, all the future requirements of HPPTCL shall be fulfilled from amongst the cadres of HPSEB Ltd. and all need based fresh recruitments shall be undertaken by HPPTCL in the name of HPSEB Ltd. All such recruitments shall be integral part of cadre strength of HPSEB Ltd. This methodology shall be reviewed after one year considering its efficacy and efficiency. The contribution towards pension and terminal benefits shall be paid to HPSEB Ltd. by the respective entities.

(5) From the effective date all transferred employees shall be employees of 'HPSEB Ltd.' and their rank, scale or pay and inter-se-seniority as existing in the Board on the effective date of Transfer shall be maintained and the retirement benefits and other facilities shall in no way be reduced or made inferior to that immediately before the effective date of re-vesting.

(6) Notwithstanding the transfer of personnel to 'HPSEB Ltd.', as per this Scheme, the personnel shall discharge the duties and functions as may be assigned to them from time to time by the 'HPSEB Ltd.', or by 'HPPCL' or 'HPPTCL' which are deployed with these entities, as the case

may be and such entities shall have the power to exercise all administrative and disciplinary control over such personnel.

(7) The transfer of personnel shall be further subject to the following conditions; namely that:

- (a) the terms and conditions of the services, regulations and policies applicable to personnel on the effective date of re-vesting shall not in any way be less favorable than those applicable to them immediately before the said effective date of re-vesting. Accordingly, the salary, allowances and other pecuniary benefits including terminal benefits applicable on the effective date of re-vesting shall be protected and shall not be adversely changed;
- (b) all such personnel shall have continuity of service in all respects;
- (c) the personnel transferred to the Transferee, shall be deemed to have entered into an agreement with the Transferee to repay loans, advances and other sums due and perform obligations undertaken by them to the Board which remain outstanding as on the date of the transfer in the same manner and on the same terms and conditions as existed prior to the re-vesting;
- (d) all benefits of service accrued before the said effective date of re-vesting shall be fully recognized and taken into account for all purposes including the payment of terminal benefits;
- (e) any orders that may be passed by the Courts in the proceedings pending on the said effective date of re-vesting in regard to seniority or other matters concerning the service conditions of the Personnel;
- (f) subject to this Scheme, the personnel shall cease to be in the service of the Board and shall not assert or claim any benefit of service under the State Government or the Board.

(8) Subject to the Act and this Scheme, 'HPSEB Ltd.' shall be entitled to modify or frame new regulations governing the conditions of personnel transferred to 'HPSEB Ltd.' under this Scheme and till such time the existing service rules/regulations of the Board shall apply mutatis-mutandis.

(9) In respect of all statutory and other schemes and employment related matters including the provident fund, gratuity fund, pension, leave encashment and any other superannuation fund or any other special fund created or existing for the benefit of the personnel, the 'HPSEB Ltd.' shall stand substituted for the Board for all purposes and all the rights, powers and obligations of the Board in relation to any and all such matters shall become those of the 'HPSEB Ltd.' and the services of the personnel shall be treated as having been continuous for the purpose of the application of this sub-rule.

(10) The HPSEB Ltd. shall make appropriate arrangement in regard to the funding for the provision of pension and other personnel related funds of the personnel of the erstwhile Board, including for the due payment of the amounts to personnel who retire till the date of re-vesting and thereafter. The transferees jointly and severally shall make appropriate arrangements to ensure to make such payments to the personnel. In the event of any failure to fulfill above commitments, these obligations shall be discharged by the Government.

(11) The HPSEB Ltd. shall make appropriate arrangements in regard to the funding and the payment of the pension and other benefits, including terminal benefits, which are not yet disbursed to the existing pensioners of the erstwhile Board as on the date of re-vesting. The state government has also assumed the responsibility of making appropriate arrangement for the funding of Terminal Benefits.

(12) All proceedings including disciplinary proceedings pending against the personnel prior to the effective date of re-vesting from the Board or which may relate to misconduct, lapses or acts of commission or omission committed before the date of re-vesting, shall not abate and will be continued with the 'HPSEB Ltd.' consistent with the applicable service Rules.

6. Rights and obligations of third parties restricted.—Upon the re-vesting being effected in accordance with the Act and the relevant undertakings being vested in the Transferees as per the provisions of this Scheme the rights and obligations of all persons shall be restricted to the Transferee (s) to whom they are assigned to and notwithstanding anything contained in any deed, documents, instruments, agreements or arrangements which such person has with the Board, the person shall not claim any right or interest against the State Government or any other Transferee(s).

7. Pending proceedings.—All proceedings of whatever nature by or against the Board pending on the effective date of re-vesting of the undertakings to the Transferees shall not abate or discontinue or otherwise in anyway be affected prejudicially by reason of the transfers provided in this Scheme, and such proceedings may be continued and prosecuted by or against the Transferee(s) to whom the assets and liabilities including all rights, obligations and contingencies relating to such proceedings are assigned in accordance with this Scheme. Such proceedings may be continued in the same manner and to the same extent as it would or might have been continued and prosecuted by or against the Board if the transfers specified in this scheme had not been made.

8. License and Tariff.—(1) As per Section 14 of the Act read with Section 131 the Transferee shall be a deemed Licensee for the activities and functions of the erstwhile Board transferred to it.

(2) The tariff, terms and conditions for the sale and supply of electricity shall be continued as such from the date of vesting and until such time as orders are modifying the same issued by the Himachal Pradesh State Electricity Regulatory Commission.

9. Decision of State Government final.—(1) The Government shall have power to amend, vary, modify, add, delete or otherwise change terms and conditions of the transfers, within the period as specified in clauses 3(2) and 3(3), as the state government may consider appropriate.

(2) If any doubt, dispute, difference or issue shall arise in regard to the transfers under this Scheme subject to the provisions of the Act, the decision of State Government thereon shall be final and binding on all parties.

(3) The State Government may, by order, publish in the Official Gazette, and make such provisions, not inconsistent with the provisions of the Act, as may appear to be necessary for removing the difficulties arising in implementing the transfers under this Scheme.

By order,
DEEPAK SANAN
Principal Secretary.